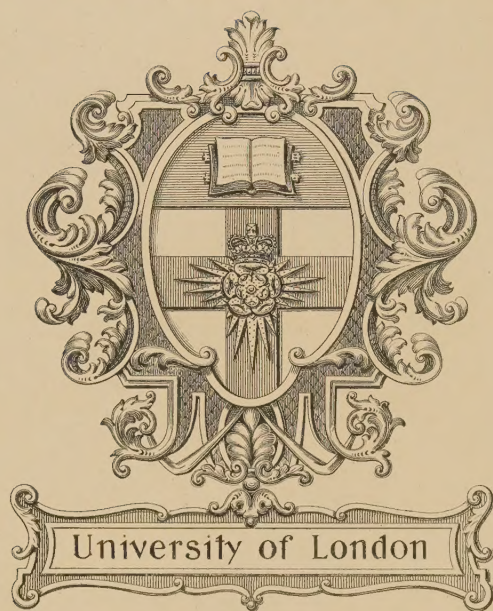
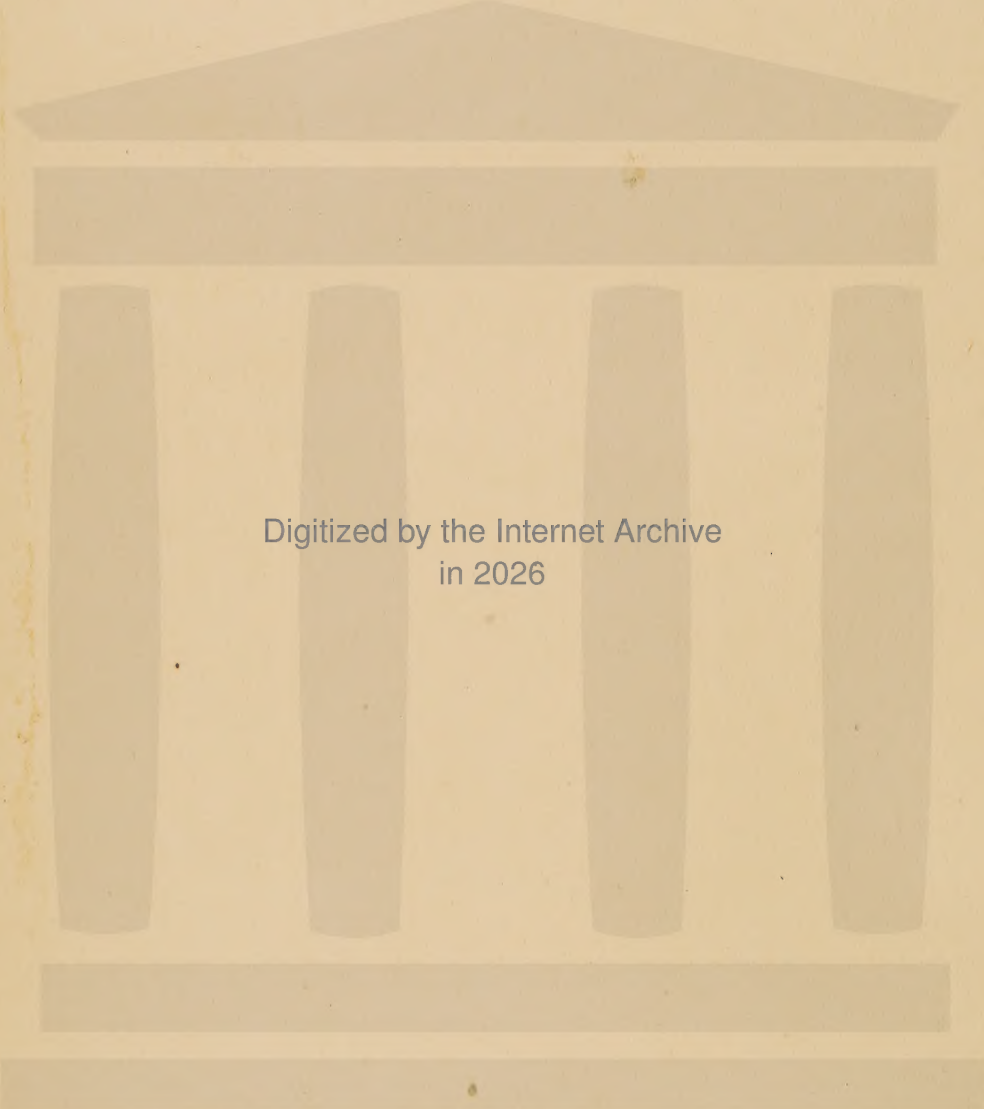


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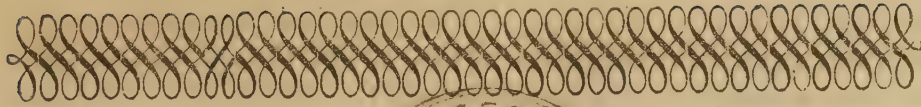
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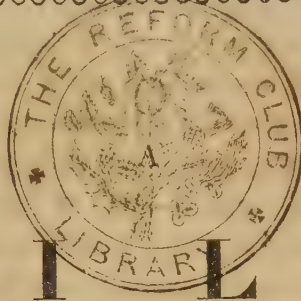
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(Ireland.)



B I L

[AS AMENDED ON RE-COMMITMENT]

For the Regulation of Municipal Corporations and Borough Towns in Ireland.

[N.B.—The Clauses marked (A.) to (R.) were added on the
Re-commitment.]

WH^{EREAS} divers Bodies Corporate at sundry times have been constituted within the Cities, Towns and Borough of Ireland, to the intent that the same might for ever be and remain well regulated and quietly governed; and it is expedient that the Charters by which several of the said Bodies Corporate are constituted should be altered in the manner hereinafter mentioned; **B**E it therefore Enacted, by The QUEEN's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, **T**HAT so much of all Laws, Statutes and Usages, and so much of all Royal and other Charters, Grants and Letters Patent, Rules, Orders and Directions now in force, relating to the several Boroughs named in the Schedules (A.) and (B.) to this Act annexed, or to the Inhabitants thereof, or to the several Bodies or reputed or late Bodies Corporate named in the said Schedules, or any of them, as is inconsistent with or contrary to the provisions of this Act, shall be and the same is hereby Repealed and Annulled.

Preamble.

1.
Repeal of all Acts, Charters and Customs inconsistent with this Act.

And be it Enacted, That every Person who now is or hereafter may be an inhabitant of any Borough, and also every Person who has been admitted or who might hereafter have been admitted a Freeman or Burgess of any Borough, if this Act had not been passed, or who now is or hereafter may be the wife or widow or son or daughter

2.
Reservation of all rights of property and beneficial exemptions to Freemen, their Wives and Children.

of any Freeman or Burgess, or who may have espoused or may
 hereafter espouse the daughter or widow of any Freeman or Burgess,
 or who has been or may hereafter be bound an Apprentice, shall have
 and enjoy and be entitled to acquire and enjoy the same share and
 benefit of the lands, tenements and hereditaments, and of the rents 5
 and profits thereof, and of the common lands and public stock of
 any Borough or Body Corporate, and of any lands, tenements and
 hereditaments, and any sum or sums of money, chattels, securities
 for money, or other personal estate, of which any Person or any Body
 Corporate may be seised or possessed in whole or in part for any 10
 charitable uses or trusts, as fully and effectually, and for such time and
 in such manner, as he or she by any statute, charter, bye-law or custom
 in force at the time of passing this Act, might or could have had,
 acquired or enjoyed in case this Act had not been passed: Provided
 always, That the total amount to be divided amongst the Persons whose 15
 rights are herein reserved in this behalf shall not exceed the surplus
 which shall remain after payment of the interest of all lawful debts
 chargeable upon the real or personal estate out of which the sums
 so to be divided have arisen, together with the salaries of Municipal
 Officers, and all other lawful expenses which on the Fifth day of 20
 June One thousand eight hundred and Thirty-five, were defrayed out
 of or chargeable upon the same: Provided also, That nothing herein-
 before contained shall be construed to apply to any claim, right or
 title of any Burgesses or Freemen, or of any Person, to any dis-
 charge or exemption from any tolls or dues levied wholly or in part 25
 by or to the use or benefit of any Borough or Body Corporate; and
 that after the passing of this Act no Person shall have or be entitled
 to claim thenceforward any discharge or exemption from any tolls or
 dues lawfully levied in whole or in part by or to the use of any Body
 Corporate, except as hereinafter is excepted: Provided nevertheless, 30
 That every Person who, on the said Fifth day of June One thousand
 eight hundred and Thirty-five, was an inhabitant, or was or was entitled
 to be admitted a Freeman or Burgess of any Borough, or who on the
 said Fifth day of June was the wife or widow, son or daughter of any
 Freeman or Burgess of any Borough, or who on the said Fifth day 35
 of June was bound an Apprentice, shall be entitled to have or acquire
 and enjoy the same discharge or exemption from any tolls or dues
 lawfully levied in whole or in part by or to the use of any Borough
 or Body Corporate, as fully and for such time and in such sort as he
 or she, by any statute, charter, bye-law or custom in force on the 40
 said Fifth day of June, might or would have had, acquired and en-
 joyed the same if this Act had not been passed, and no further or
 otherwise: Provided also, That where, by any statute, charter, bye-
 law or custom in force within any Borough at the time of passing
 this Act, any Person whose rights in this behalf are herein reserved
 would

would have been liable in case this Act had not been passed to pay any fine, fee or sum of money to any Body Corporate, or to any member, officer or servant of any Body Corporate, in consideration of his Freedom, or of his or her title to such rights as are herein reserved, no such Person shall be entitled to have or claim any share or benefit in respect of the rights herein reserved as aforesaid until he or she shall have paid the full amount of such fine, fee or sum of money to the Treasurer of such Borough, appointed under the provisions of this Act, on account of the Borough Fund hereinafter mentioned: Provided also, That nothing in this Act contained shall be construed to entitle any Person to any share or benefit of the rights herein reserved who shall not have first fulfilled every condition which, if this Act had not passed, would have been a condition precedent to his or her being entitled to the benefit of such rights, so far as the same is capable of being fulfilled according to the provisions of this Act, or to strengthen, confirm or affect any claim, right or title of any Burgesses or Freemen of any Borough or Body Corporate, or of any Person, to the benefit of any such rights as are hereinbefore reserved, but the same in every case may be brought in question, impeached and set aside in like manner as if this Act had not been passed.

And be it Enacted, That from and after the passing of this Act, no Person shall be elected, made or admitted a Burgess or Freeman of any Borough by gift or purchase.

3.
No Person to
be admitted
a Freeman
by Gift or
Purchase.

And be it Enacted, That after the first election of Councillors under this Act in any Borough, the Body, or reputed or late Body Corporate, named in the said Schedules in connexion with such Borough, or if there be no such Body Corporate, the Inhabitants of such Borough, qualified as hereinafter mentioned, shall take and bear the name of the Mayor, Aldermen and Burgesses of such Borough, except the Corporation of Dublin, which shall bear the name of the Right Honourable the Lord Mayor, Aldermen and Burgesses of Dublin; and by those names shall have perpetual succession, and shall be capable in law, by the Council hereinafter named of such Borough, to do and suffer all acts which such Bodies Corporate lawfully may do and suffer, and shall be entitled to, invested with, and possessed of all the lawful rights, trusts, properties and estates, now or of late legally vested in or belonging, or which of right ought to belong to such Boroughs or Bodies Corporate respectively, solely or jointly with any other person or body corporate, save only and except those vested in the Charitable Trustees of such Boroughs, pursuant to the provisions hereinafter contained; and the Mayor of each of the said Boroughs shall be capable in law to do and suffer all acts which the chief officer of such Borough might or may lawfully do and suffer, so far as such

4.
Corporations
to be styled
Mayor, Alder-
men and Bur-
gesses.

powers, rights, trusts and privileges respectively are not altered or annulled by the provisions of this Act.

5.
Boundaries
of certain
Boroughs to be
those settled
by 2 & 3 W. 4.
cap. 89;

And be it Enacted, That the Metes and Bounds of the several Boroughs named in the said Schedule (A.) and in the first section of the said Schedule (B.), from and after the time when this Act shall come into operation in each of the said Boroughs respectively, shall, for the purposes of this Act, be the same as the limits thereof respectively settled and described in an Act passed in the Session of Parliament holden in the second and third years of the reign of his late Majesty King WILLIAM the Fourth, intituled, “ An Act to settle and describe the Limits of Cities, Towns and Boroughs in Ireland, in so far as respects the Election of Members to serve in Parliament;” and the Metes and Bounds of the several Boroughs named in the second section of the said Schedule (B.) shall, for the purposes of this Act, be and remain as the same are now taken to be by virtue of any charter or usage, until such time as Parliament shall otherwise direct.

Boundaries
of other
Boroughs to
remain un-
altered.

6.
Occupiers of
Houses and
Shops rated
as of the
value of 5 *l.*
entitled to be
Burgesses, if
resident
within Seven
Miles.

And be it Enacted, That after this Act shall have come into operation in any Borough named in the said Schedules, every man of full age, who on the last day of August in any year shall be an inhabitant householder, resident within such Borough or within Seven Statute Miles of such Borough, and who shall hold and occupy within such Borough any house, warehouse, counting-house, office or shop, which either separately or jointly with any land within such Borough, occupied therewith by him as tenant under the same landlord, or occupied therewith by him as owner, shall be rateable to any rate made for the relief of the poor as of the net annual value of Five Pounds or upwards; that is to say, as being hereditaments which, in their actual state, may be reasonably expected to let from year to year at Five Pounds or upwards, all rates, taxes and public charges, if any, (except tithes), and the probable annual average cost of the repairs, insurance and other expenses (if any) necessary to maintain them in their actual state, being paid by the tenant, shall, if duly enrolled according to the provisions hereinafter contained, be a Burgess of such Borough, and a Member of the Body Corporate of the Mayor, Aldermen and Burgesses of such Borough: Provided always, That no such occupier shall be admitted to be enrolled under this Act, unless he shall have occupied such premises within said Borough, or other premises of the like nature, within the said Borough, for the space of Six calendar Months at the least next preceding such enrolment; nor unless such occupier shall have paid or discharged all cesses, rates and taxes, if any, which shall have become legally due and payable by him in respect of such premises, except such as shall have been imposed

imposed or become due within Three calendar Months next before such enrolment : Provided also, That no Person, being an alien, shall be so enrolled in any year, and that no Person shall be enrolled who within Twelve calendar Months next before the said last day of August shall have received any pension or charitable allowance from any fund intrusted to the Charitable Trustees of such Borough hereinafter mentioned, other than medical or surgical assistance ; but no Person shall be disqualified from being enrolled as a Burgess by reason that any child of such Person shall have been admitted and taught within any public or endowed school.

And be it Enacted, That in every case provided in this Act the distance of Seven Miles shall be computed by the nearest public road or way by land or water.

7.
CLAUSE (A.)
How distances
are to be
reckoned.

And be it Enacted, That where any house, warehouse, office, counting-house or shop in any Borough shall come to any Person by descent, marriage, marriage settlement, devise, bequest or promotion to any benefice or office, such Person shall be entitled to reckon the holding and occupancy thereof by the Person from or by whom such house, warehouse, office, counting-house or shop shall have so come to him, as his own holding and occupancy, conjointly with the time during which he shall have since held and occupied the same, and shall be entitled to be enrolled a Burgess in respect of such successive holding and occupancy, provided he shall be otherwise qualified as herein provided ; and it shall not be necessary in support of the title of such Person to be so enrolled to prove that he was an inhabitant householder within the said Borough, or within Seven Miles of the said Borough before the change of occupancy ; and the rating in the name of the person previously occupying shall be considered a sufficient rating of the person so entitled, until a new rate shall be made subsequent to the change of occupancy : Provided always, That the other Person, in respect of whose previous occupancy and rating he shall be so partially entitled, shall have been enrolled a Burgess at the time of the change of occupancy.

8.
In case of
Titles by
descent, &c.
how the occu-
pation is to be
reckoned.

And be it Enacted, That if any Person who shall have been enrolled a Burgess of any Body Corporate within any Borough, according to the provisions of this Act, shall at any time thereafter cease to hold and occupy a house, warehouse, office, counting-house or shop within the Borough, or cease to be an inhabitant householder within the same, or within Seven Miles thereof, or neglect or refuse to pay such cesses, rates and taxes as aforesaid, due from him at the time of the revision of the Burgess Roll, except as hereinbefore is excepted, his name shall at the then next revision of the Burgess Roll be struck out from the said Burgess Roll, and

9.
Burgesses who
cease to be
occupiers
within the
Borough, or
neglect to pay
their rates, to
be omitted
from the
Burgess Roll,
but may be
restored at any
subsequent
revision of the
Burgess Roll.

he shall thereupon cease to be a Burgess and member of the said Body Corporate: Provided nevertheless, That at any future revision of the Burgess Roll, he shall be entitled again to be and be enrolled a Burgess and member of the said Body Corporate, when he shall be duly qualified, as herein provided.

5

10.

No Burgess to be elected who is not qualified under this Act.

And be it Enacted, That after the passing of this Act, no Person shall be elected or enrolled a Burgess of any Borough for the purpose of enjoying the rights conferred for the first time by this Act, in respect of any right or title other than by residence, occupancy, and payment of cesses, rates and taxes within such Borough, according to the meaning and provisions of this Act.

10

11.

Persons who before the passing of this Act were entitled to vote for Members of Parliament, may still enjoy such right.

AND whereas the right of voting in the Election of Members to serve in Parliament was, by an Act passed in the Session of Parliament holden in the second and third years of the reign of his late Majesty, intituled, "An Act to amend the Representation of the People of Ireland," preserved to all Freemen, Freeholders and Persons who, by reason of any Corporate or other right, were then by law entitled to vote at the Election of a Member or Members to serve in Parliament for any City, Town or Borough, and all Persons who, by reason of birth, marriage or service, or of any statute then in force, should be at any time thereafter admitted to their Freedom in any City, Town or Borough, subject to the conditions and provisions in that Act contained; BE it Enacted, That every Person who, if this Act had not been passed, would have been entitled to enjoy, or might hereafter have been entitled to acquire in respect of birth or marriage or servitude, or of any statute then in force, as a Freeman, the right of voting in the Election of a Member or Members to serve in Parliament for any City, Town or Borough, shall be entitled to acquire and enjoy such right of voting as fully as if this Act had not been passed.

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12.

CLAUSE (B.)
Persons voluntarily paying cess, may recover the amount from their landlords.

AND whereas by the said Act passed in the Session of Parliament holden in the second and third years of the reign of his late Majesty King WILLIAM the Fourth, it is among other things enacted, that no occupier of the premises in the said Act described, who shall not have paid and discharged all such grand jury and municipal cesses, rates and taxes, if any, as shall have become due and payable by him in respect of such premises, except as therein is excepted, shall be qualified to be registered as a voter under that Act in respect of such premises: AND whereas it often happens that the cesses, rates and taxes aforesaid, or cesses, rates and taxes which may be imposed under this Act, are, by virtue of contracts between the occupiers of such premises and the landlords thereof, payable as between such occupiers and landlords by some person other than such occupiers:

35

40

AND

AND whereas occupiers paying such cesses, rates and taxes voluntarily to the collectors thereof, notwithstanding such contracts, are in some cases not entitled to recover or set off such payment against the persons who ought to have paid the same on their behalf, and who have omitted to pay the same; BE it Enacted, That in all cases where the occupier of premises liable to any cess, rate or tax whatsoever, shall have voluntarily paid any cess, rate or tax which shall be then due and payable, such occupier shall be entitled to recover or set off the amount of such payment against the like persons and by the like means as if such payment had been made by legal compulsion.

AND whereas it is expedient to provide greater facilities for the payment of cesses, rates and taxes in the City of Dublin; BE it Enacted, That after the time when this Act shall come into operation in the City of Dublin, the several collectors of cesses, rates and taxes payable in the City of Dublin, under any Act of Parliament now in force or hereafter to be passed, shall immediately open accounts with the Bank of Ireland in their respective names as such collectors, which accounts the said Bank is hereby required to open and keep; and it shall be lawful to every person to pay into the Bank of Ireland to the credit of any of the said accounts, such sums as he shall think fit; and such payment shall be deemed to have been made to the collector to whose credit it was paid; and the proper officer of the Bank of Ireland shall receive such payment, and give to the person making such payment a receipt signed by such officer, expressing the day and amount of such payment, the description of tax on account of which it was paid, the name of the person by whom paid, and of the collector to whose credit it was paid; which receipt shall not be liable to any stamp duty, and such receipt shall be evidence of the payment to the collector of the sum therein specified.

13.
CLAUSE (C.)
Occupiers
may pay
cesses into
Bank of
Ireland.

And be it Enacted, That on or before the Fifth day of September in the first year in which this Act shall come into operation in any Borough, the Churchwardens of every parish wholly or in part within such Borough, shall make out an alphabetical List, according to the Form Number 1 in the Schedule (C.) to this Act annexed, of all Persons, with their respective residences, who shall be entitled to be enrolled in the Burgess Roll according to the provisions of this Act, in respect of property within such Parish and Borough, and shall sign such List, and deliver the same, on the said Fifth day of September, to the Town Clerk; and shall keep a true copy of such List, to be perused by any Person without payment of any fee, at all reasonable hours between the said Fifth and the Fifteenth days of September aforesaid.

14.
Churchwardens of each
Parish to make
out Lists in
the first
year of Persons
qualified
as Burgesses
in each
Borough.

15.
Extra-paro-
chial Places,
&c.

And be it Enacted, That in any Borough in which there shall be no Town Clerk, or in which the Town Clerk shall be incapable of acting, all matters by this Act required to be done by or with regard to the Town Clerk, shall be done by and with regard to the Person executing duties in such Borough similar to those of Town Clerk ; 5
and if there be no such Person, or if such Person be incapable of acting, then by and with regard to such fit Person as the Mayor of such Borough shall appoint in that behalf ; and in extra-parochial places, and in Parishes where there is no Churchwarden, or where the Churchwarden may be absent or incapable of acting, the Lord 10
Lieutenant shall appoint, by writing under his hand, a proper person to perform the duty of Churchwarden under this Act, and the acts of such person shall be as valid as if done by a Churchwarden.

16.
Town Clerks
to make out
Lists in Bo-
roughs in fol-
lowing years.

And be it Enacted, That on or before the Fifth day of Sep- 15
tember in every year, except the first in which this Act shall come into operation in any Borough, the Town Clerk of such Borough shall make out an alphabetical List, according to the said Form Number 1, in the Schedule (C.) to this Act annexed, of all persons who shall be entitled to be enrolled in the Burgess Roll of that year within such Borough, and shall sign such List, and shall on that day 20
deliver a true copy of such List, signed by himself, to the Mayor of such Borough, and shall himself keep such original List, to be perused by any person without payment of any fee, at all reasonable hours, between the Fifth and the Fifteenth days of September in every year.

17.
CLAUSE (D.)
Town Clerk
to print the
Lists.

And be it Enacted, That the Town Clerk shall forthwith cause 25
copies to be printed of all Lists so delivered to him by the Churchwardens in the first year, and of all Lists made out by himself, or under his direction in every succeeding year ; and shall deliver a copy of all such Lists to any Person requiring the same, on payment of a sum of One Shilling for each copy, and shall cause a copy of all such 30
Lists to be fixed on or near the outer door of the Town Hall, or in some public and conspicuous situation within the Borough, on every day during the Eight Days next preceding the Fifteenth day of September in every year.

18.
Persons omit-
ted from the
Lists to give
notice to the
Town Clerk.

And be it Enacted, That every Person whose name shall have been 35
omitted in any such List, and who shall claim to have his name inserted on the Burgess Roll, shall, on or before the Fifteenth day of September in every year, give notice thereof to the Town Clerk in writing, according to the Form Number 2, in the said Schedule (C.), or to the like effect ; and every Person whose name shall have been 40
inserted in any such List for any Borough may object to any other Person as not being entitled to have his name retained in the Burgess Roll for the same Borough ; and every Person so objecting shall,

Notices as to
Persons not
entitled to be
retained in the
Lists.

shall, on or before the Fifteenth day of September in every year, give to the Town Clerk of such Borough, and also to the Person objected to, or leave at the premises in respect of which his name shall have been inserted in such List, notice thereof in writing, according to the

5 Form Number 3, in the said Schedule (C.), or to the like effect; and every Town Clerk shall include the names of all Persons so claiming in a List, according to the Form Number 4, in the said Schedule (C.); and the names of all Persons so objected to in a

10 List, according to the Form Number 5, in the said Schedule (C.), and shall cause copies of such Lists to be fixed on or near the outer door of the Town Hall, or in some public and conspicuous situation within such Borough, during the Eight Days next preceding the First day of October in every year; and the Town Clerk shall likewise keep a copy of the names of all the Persons so claiming as

15 aforesaid, and also a copy of the names of all Persons so objected to as aforesaid, to be perused by any Person without payment of any fee, at all reasonable hours, during the Eight Days, Sunday excepted, next preceding the First day of October in every year, and shall deliver a copy of each of such Lists to any Person requiring the

20 same, on payment of a sum not exceeding One Shilling for each copy.

Lists of Claimants, and of Persons objected to, to be published, &c.

And be it Enacted, That it shall be lawful for the Lord Lieutenant of Ireland to appoint, by warrant under his hand, so many Barristers of not less than Five Years' standing at the bar, as he shall think fit, to revise the List of Burgesses in any Borough, in

25 the first year in which this Act shall come into operation in that Borough; and the Barrister so appointed shall for that purpose be in the place and stead of the Mayor and Assessors hereinafter mentioned of such City, Town or Borough, and shall revise the List of Burgesses, and have for that purpose all such powers as the Mayor

30 or Mayors and Assessors will possess in the succeeding years.

19.
CLAUSE (E.)
Lord Lieutenant may appoint Revising Barrister for the present Year.

And be it Enacted, That in the first year in which this Act shall come into operation in any Borough, the Barrister appointed as aforesaid, and in every succeeding year the Mayor and the Two Assessors of the Borough hereinafter mentioned, shall hold an

35 open Court within such Borough, for the purpose of revising the said Lists, at some time between the First day of October inclusive, and the Fifteenth day of October inclusive, in every year, having first given Three clear Days' notice of the holding of such Court, to be fixed on or near the door of the Town Hall, or in some public and conspicuous situation within the Borough; and the Town

40 Clerk of every such Borough shall, at the opening of the Court, produce the said Lists before him or them, and a copy of the Lists of the Persons claiming and of the Persons objected to, so made out as aforesaid; and the several Churchwardens for the present year of

20.
Mayor to revise Lists, and upon due proof to insert and expunge Names.

every Parish wholly or in part within every such Borough, shall attend the Court to be holden in this present year; and such Town Clerk and Churchwardens respectively shall answer upon oath all such questions as the Court may put to them, or any of them, touching any matter necessary for revising the said Lists; and the Mayor or Barrister, as the case may be, shall insert in such Lists the name of every Person who shall be proved, to the satisfaction of the Court, to be entitled to be enrolled in the Burgess Roll, according to the provisions of this Act; and shall retain on the said Lists the names of all Persons to whom no objection shall have been duly made and sustained; and where the name of any Person inserted in any one of the said Lists shall have been duly objected to, and the Person objecting shall appear by himself, or by some one on his behalf, in support of such objection, the Court shall require proof of the qualification of the Person so objected to; and in case the qualification of such Person shall not be proved to the satisfaction of the Court, the Mayor or Barrister, as the case may be, shall expunge the name of every such Person from the said Lists; and he shall also expunge from the said Lists the name of every Person who shall be proved to be dead, and shall correct any mistake or supply any omission which shall be proved to have been made in any of the said Lists in respect to the name or place of abode, or local description of the property of any Person who shall be included in any such List: Provided always, That no Person's name shall be inserted by the Mayor or Barrister in any such List, or shall be expunged therefrom, except in the case of death, unless notice shall have been given as is hereinbefore required in each of the said cases: Provided also, That no ground of objection shall be inquired into at any such Court other than is stated in some notice so given as aforesaid.

Power to rectify mistakes in the Lists.

21.
Mayor, on revising the Lists, to have power of adjourning, of administering Oaths, &c.; and shall settle and sign the Lists in open Court.

And be it Enacted, That every Mayor or Barrister holding any Court under this Act for the revision of the said Lists shall have power to adjourn the same from time to time, so that no such adjourned Court shall be held after the Fifteenth day of October in any year, and shall have power to require any High Constable, Churchwarden or other Person authorized to applot, collect or levy any cess, rate or tax, within the Borough, or within any Parish wholly or in part within the Borough, or other Person or Persons having the custody of any book of applotment or rate or valuation, to produce the same, and allow the same to be inspected at any Court to be held for revision of the Burgess Roll, and shall have power to administer an Oath to the Town Clerk and Churchwardens, and to all Persons claiming to be inserted in or making objection to the omission or insertion of any name in the said Lists, and to all Persons objected to in any of such Lists, and to all Persons

sons claiming to have any mistake in any such Lists corrected, and to all Witnesses who may be tendered or examined on either side; and if any Person taking any oath or making any affirmation under this Act shall wilfully swear or affirm falsely, such Person shall be
 5 deemed guilty of Perjury, and shall be punished accordingly; and the Mayor and Assessors or Barrister shall, upon hearing in open Court, determine upon the validity of such claims and objections; and the Mayor or Barrister shall, in open Court, write his initials against the names respectively struck out or inserted, and against
 10 any part of the said Lists in which any mistake shall have been corrected, and shall sign his name to every page of the several Lists so settled.

And be it Enacted, That the Lists so revised and signed as last aforesaid shall be delivered by the Mayor or Barrister to the Town Clerk
 15 of such Borough, who shall keep the same, and shall cause the said Lists to be fairly and truly copied into one general Alphabetical List in a book to be by him provided for that purpose, with every name therein numbered, beginning the numbers from the first name, and continuing them in a regular series to the last name, and shall
 20 cause such book to be completed on or before the Twenty-second day of October in every year, and shall deliver such book, together with the Lists, at the expiration of his office, to the Person succeeding him in such office; and every such book shall be the Burgess Roll of the Burgesses of such Borough entitled to vote after
 25 the passing of this Act in the choice of the Aldermen and Councillors, Assessors and Auditors of such Borough as hereinafter mentioned, at any election which may take place in such Borough between the Twenty-fifth day of October inclusive, in the year wherein such Burgess Roll shall have been made, and the Twenty-fifth day of
 30 October in the succeeding year, or until a New Burgess Roll shall have been made.

22.
 Borough List to be kept by the Town Clerk, and copied into Books, with the Names numbered.

Such Book to be the Register of Voters, from which Election shall be made.

And be it Enacted, That no Stamp Duty shall be payable in respect of the admission, registry or enrolment of any Burgess, according to the provisions of this Act.

23.
 CLAUSE (F.)
 No Stamp Duty payable on enrolment.

And be it Enacted, That if any such Mayor or Assessor shall wilfully and corruptly disallow the claim of any Person who shall be duly entitled, or wilfully and corruptly allow the claim of any Person who shall not be duly entitled to be enrolled on the Burgess Roll, or if any such Mayor shall wilfully and corruptly expunge the
 35 name of any Person duly entitled, or wilfully and corruptly insert or retain in such List the name of any Person who shall not be duly entitled to be enrolled on such Burgess Roll, every Mayor or Assessor so offending shall be liable to be sued by way of Civil Bill in an
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24.
 Penalty for wilfully and corruptly expunging or not inserting any Name.

Mayor, Town
Clerk or
Churchwarden
neglecting
duty, guilty
of a Misdemeanor.

action of debt for the penal sum of Ten Pounds for every name so wilfully and corruptly allowed, disallowed, expunged, inserted or retained, at the suit of any Burgess of the said Borough who shall sue for the same in the Court of the Assistant Barrister, Chairman or Recorder having jurisdiction, by way of Civil Bill, within such Borough; and the Defendant in such Action respectively, being convicted, shall pay such penal sum so awarded, with full costs of suit, to the party who may sue for the same; and if any Mayor, Town Clerk or Churchwarden shall wilfully neglect to make out such Lists, or wilfully omit the name of any Person which ought to be inserted thereon, or wilfully insert in or retain on such Lists the name of any Person which ought not to be inserted thereon, or wilfully neglect or refuse to perform the duties or any part thereof by this Act imposed upon him or them respectively, he shall be deemed guilty of a Misdemeanor; and may be indicted and punished accordingly.

25.
Copies of
Burgess Roll
to be made
for sale.

And be it Enacted, That the Town Clerk of every Borough shall cause to be written or printed copies of the Burgess Roll in every year, and shall deliver such copies to all Persons applying for the same, on payment of a reasonable price for each copy; and the monies arising from the sale thereof, and of the Churchwardens' and Town Clerks' Lists, and of the Lists of claims and objections as aforesaid, shall be paid over to the Treasurer of such Borough, and shall be applied by him in aid of the Borough Fund hereinafter mentioned; and the Town Clerk of every Borough shall, on or before the First day of December next, after this Act shall come into operation in that Borough, make out a List, to be called "The Freeman's Roll," of all Persons who at the time of the passing of this Act shall have been admitted as Freeman of such Borough; and that whenever any Person shall become entitled to be admitted a Freeman of such Borough in respect of birth, servitude or marriage, and shall claim to be admitted accordingly, the Mayor of such Borough shall examine into such Claim, and upon such Claim being established, every such person shall thereupon be admitted and enrolled by the Town Clerk of such Borough upon the said Roll; and the Town Clerk shall keep a true copy of such Roll, to be perused by any person, without payment of any fee, at all reasonable times, and shall deliver a copy thereof to any person requiring the same, on payment of a reasonable price for such copy.

26.
Expenses of
Lists, how to
be defrayed.

And be it Enacted, That the Council of every Borough shall take an account of the reasonable expenses incurred in carrying into effect the several provisions of this Act, so far as relates to the said Lists, and shall order the Treasurer of the said Borough to pay the same out of the Borough Fund of the said Borough.

And

And be it Enacted, That in every Borough shall be elected, at the time and in manner hereinafter mentioned, one fit person who shall be and be called "The Mayor" of such Borough, and a certain number of fit Persons who shall be and be called "The Aldermen" of such Borough, and a certain number of other fit Persons who shall be and be called "The Councillors" of such Borough; and the number of Persons to be so elected Aldermen and Councillors of such Borough shall be the number of Persons in that behalf mentioned in conjunction with the name of such Borough in the Schedules (A.) and (B.) to this Act annexed; and such Mayor, Aldermen and Councillors for the time being, or so many of them as shall at any time be elected and have accepted the offices, shall be and be called the Council of such Borough.

27.
Mayor, Aldermen and Councillors to be chosen in every Borough.

And be it Enacted, That no Person being in Holy Orders, or being the regular Minister of any Dissenting Congregation, shall be qualified to be elected, or to be a Councillor or an Alderman of any Borough, nor shall any Person be qualified to be elected or to be a Councillor or an Alderman of any Borough named in said Schedule (A.) to this Act annexed, who shall not be entitled to be on the Burgess List of such Borough, nor unless he shall be seised or possessed of real or personal estate, or of both, of the clear value of One thousand Pounds above what will satisfy his debts, or shall occupy and shall for Twelve Months next previous have occupied a house of the clear yearly value of Twenty-five Pounds or upwards situate within the Borough; nor shall any Person be qualified to be elected or to be a Councillor or an Alderman of any Borough named in the said Schedule (B.) to this Act annexed, who shall not be entitled to be on the Burgess List of the Borough for which he is elected, nor unless he shall be seised or possessed of real or personal estate, or of both, of the clear value of Five hundred Pounds above what will satisfy his debts, or shall occupy, and shall for Twelve Months next previous have occupied, a House of the clear yearly value of Fifteen Pounds or upwards, situate within the Borough; nor shall any Person be qualified to be elected, or to be a Councillor or an Alderman of any Borough during such time as he shall hold any office or place of profit, other than that of Mayor, in the gift or disposal of the Council or Charitable Trustees of such Borough, or while he is an uncertificated Bankrupt, or during such time as he shall have directly or indirectly, by himself or his partner, any share or interest in any contract or employment with, by or on behalf of such Council or Charitable Trustees: Provided, That no Person shall be disqualified from being a Councillor or Alderman of any Borough as aforesaid by reason of his being a proprietor or shareholder of or in any Company which shall contract with the Council of such Borough for lighting or supplying with water any part of the said Borough, or insuring against fire any property therein.

28.
Who not qualified to be chosen Mayor, Alderman or Councillor.

29.
Who shall
vote in the
Election for
Councillors.

And be it Enacted, That every Burgess of any Borough who shall be enrolled on the Burgess Roll for the time being of such Borough, shall be entitled to vote in the election of Aldermen and Councillors, and of the Auditors and Assessors hereinafter mentioned for such Borough; and no Person who shall not be enrolled in such Burgess Roll for the time being shall have any voice or be entitled to vote in any such election,

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30.
Directing the
Election of
Aldermen and
Councillors,

And be it Enacted, That on the Twenty-fifth day of October in the first year in which this Act shall come into operation, in any Borough mentioned in the said Schedules, and not divided into Wards as hereinafter directed, the Burgesses shall elect from among the Persons qualified to be Councillors of such Borough the number of Persons mentioned in the Schedules to this Act annexed, in conjunction with such Borough, as the number of Aldermen and Councillors of the said Borough; and One-fourth part of the Persons so elected, being those who shall have the greatest number of votes, shall be the Aldermen of the said Borough, and the remaining Three-fourths shall be the Councillors of such Borough.

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31.
One-third part
of the Council
to go out of
office annually.

And be it Enacted, That upon the Twenty-fifth day of October in every year following that in which this Act shall come into operation in any Borough, One-third part of the number appointed as aforesaid to be the whole number of the Councillors of such Borough shall go out of office; and the Burgesses then enrolled in the Borough shall elect the number of Councillors needed to supply the vacancies thereupon existing in the number of Councillors; and those who shall so first go out of office shall be the Councillors who were elected under the provisions of this Act, by the smallest numbers of votes at the first election; and in the next year, those who shall go out of office shall be the Councillors who were elected under the provisions of this Act, by the next smallest numbers of votes at the first election; the majority of the whole Council always determining, when the votes for any such Persons shall have been equal, or in case there shall have been no contest, who shall be the Persons so to go out of office; and thereafter those who shall so go out of office shall always be the Councillors who have been for the longest time in office without re-election: Provided always, That any Councillor so going out of office shall be capable of being forthwith re-elected, if then qualified as herein provided.

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32.
When day of
Election falls
on a Sunday,
the Election
shall be held
on the Monday
following.

And be it Enacted, That whenever any day appointed by this Act as a day of election, or for doing any act in any year, shall happen on a Sunday, in every such case the election shall be holden and the act done on the following Monday.

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And

And be it Enacted, That on the Twenty-fifth day of October in every Third Year after the year in which this Act shall come into operation in any Borough, One-half of the number appointed to be the whole number of the Aldermen of every Borough shall go out of office, and the Burgesses then enrolled in the Borough shall elect the number of Aldermen needed to supply the vacancies thereupon existing in the number of Aldermen; and the Aldermen who shall so first go out of office shall be the Aldermen who were elected by the smallest number of votes at the first election; the majority of the Council determining when the votes for any such Persons shall have been equal, or in case there shall have been no contest, who shall be the Aldermen first to go out of office, and thereafter those who shall go out of office shall always be those who have been Aldermen for the longest time without re-election: Provided always, That any Alderman, on going out of office, may be forthwith re-elected, if then qualified.

33.
One-half the number of Aldermen to go out of office every Three Years.

And be it Enacted, That the first election of Aldermen and of Councillors within any Borough, according to the provisions of this Act, shall be holden before the Barrister to be appointed by the Lord Lieutenant to revise the Lists of Burgesses as aforesaid, and such Barrister shall for that purpose be in the place and stead of the Mayor and Assessors, and shall have all such powers as the Mayor or the Mayor and Assessors will possess in the subsequent elections; and every subsequent election of Aldermen or of Councillors within any Borough, according to the provisions of this Act, shall be holden before the Mayor and Assessors for the time being of such Borough, except as herein is excepted; and the voting at every such election shall commence at Nine of the clock in the forenoon, and shall finally close at Four of the clock in the afternoon of the same day, and shall be conducted in manner following; (that is to say) every Burgess entitled to vote in the election may vote for any number of Persons, not exceeding the number of Aldermen or Councillors then to be chosen, by delivering to the Mayor or Barrister a Voting Paper, containing the christian names and surnames of the Persons for whom he votes, with their respective places of abode and descriptions, such paper being previously signed with the name of the Burgess voting, and with the name of the street, lane or other place in which the property in respect of which he is enrolled is situated.

34.
Elections, how to be held.

Mode of voting.

And be it Enacted, That at every election under this Act in any Borough, the Mayor or Barrister, if it shall appear to him expedient for taking the Poll at such election, may cause Booths to be erected, or Rooms to be hired and used as such Booths for different parts of such Borough, and such Booths or Rooms may be situated either in one place or in several places, and shall be so divided and allotted into

35.
Polling-booths to be provided.

compartments as to the Mayor or Barrister shall seem most convenient; and the Mayor or Barrister shall appoint a Clerk to take the Poll at each compartment, and shall cause to be affixed on the most conspicuous part of each of the said Booths the Names of the Parts of the Borough for which such Booth is respectively allotted; and no Person shall be admitted to vote at any such election, except at the Booth allotted for the part wherein the house, warehouse, counting-house, office or shop occupied by him, as described in the Burgess Roll, may be; but in case no Booth shall happen to be provided for any particular part as aforesaid, the votes of the Persons voting in respect of property situate in any part so omitted may be taken at any of the said Booths; and public notice of the situation, division and allotments of the different Booths shall be given Two Days before the commencement of the Poll by the Mayor or Barrister; and in case the Booths shall be situated in different places, the Mayor or Barrister may appoint a Deputy to preside at each place: Provided, That no election shall be holden under this Act in any Borough in any church, chapel, or other place of public worship.

36.
No inquiry of the Voter, except as to his identity, and whether he has voted before at the same Election.

And be it Enacted, That no inquiry shall be permitted at any election as to the right of any Person to vote as a Burgess in any Borough, except only as follows; (that is to say) that the Mayor or other presiding officer shall, if required by any two Burgesses entitled to vote in the same Borough, put to any Voter at the time of his delivering in his Voting Paper, and not afterwards, the following Questions, or any of them, and no other:

Forms of Questions as to these points.

1. Are you the Person whose name is signed as A. B. to the Voting Paper now delivered in by you?
2. Are you the Person whose name appears as A. B. on the Burgess Roll now in force for this Borough, being registered therein for property described to be situated in [here specify the Street, &c., as described in the Burgess Roll.]
3. Have you already voted at the present election?

And no Person required to answer any of the said Questions shall be permitted or qualified to vote until he shall have answered the same; and if any Person shall wilfully make a false answer to any of the Questions aforesaid, he shall be deemed guilty of a Misdemeanor, and may be indicted and punished accordingly.

37.
CLAUSE (G.)
Poll may be closed if an Hour has elapsed with-

And be it Enacted, That at any Election under the provisions of the said Act or of this Act, it shall be lawful for the presiding Officer to close the Poll at any time before Four of the clock, if One Hour shall

shall have elapsed during which no vote shall have been tendered for any Candidate: Provided, That no Person or Persons have, within the last Hour, been prevented from coming to the poll by any riot, violence, or other unlawful means, of which notice shall have been given to the Returning Officer.

out a Vote
being ten-
dered.

And be it Enacted, That the Mayor and Assessors or the Barrister shall examine the Voting Papers so delivered as aforesaid, for the purpose of ascertaining which of the several Persons voted for are duly elected; and so many of such Persons, being equal to the number of Persons then to be chosen, as shall have the greatest number of votes, shall be deemed to be elected; and in case of an equality in the number of votes for any two or more Persons, the Mayor and Assessors, or any Two of them, or at the first election the Barrister, shall name from amongst those Persons for whom the number of votes shall be equal, so many as shall be necessary to complete the requisite number of Persons to be chosen Aldermen or Councillors, as the case may be; and the Mayor shall cause the Voting Papers to be kept in the office of the Town Clerk during Six calendar Months at the least after every such election; and the Town Clerk shall permit any Burgess to inspect the Voting Papers of any year on payment of One Shilling for every search; and the Mayor shall publish a List of the Names of the Persons so elected, together with the number of Votes given in favour of each Person so elected, not later than Two of the clock in the afternoon of the day next but one following the day of such election.

38.
Result of
Election how
to be declared.

And be it Enacted, That on the First day of November in the year in which this Act shall come into operation in every Borough, and in every succeeding year, the Burgesses of that Borough shall elect from the Persons qualified to be Councillors, by a majority of votes, Two Burgesses who shall be and be called Auditors of such Borough, and Two Burgesses who shall be and be called Assessors of such Borough, and every such Auditor and Assessor shall continue in office until the Tenth day of November in the year following his election; and the election of such Auditors and Assessors respectively shall be in form and manner hereinbefore provided for the election of Councillors: Provided nevertheless, That in every such election of Auditors or Assessors, no Burgess shall vote for more than One Person to be an Auditor or Assessor: Provided also, That no Burgess shall be eligible to be or be elected such Auditor or Assessor as aforesaid, who shall be of the Council, or the Town Clerk or Treasurer of such Borough; and no Auditor or Assessor shall be eligible to be elected Alderman or Councillor, or appointed to be Town Clerk or Treasurer of the Borough, during the time of his being such Auditor or Assessor.

39.
Election of
Auditors and
Assessors.

40.

CLAUSE (H.)
Council to
appoint an
Alderman in
default of the
Mayor.

And be it Enacted, That if the Mayor of any Borough shall, at the time when it shall be necessary to execute the powers and duties herein provided with respect to electors, be dead, absent or otherwise incapable of acting, the Council of such Borough shall forthwith elect one of the Aldermen to execute all such powers and duties in his place, whose acts shall be as valid as any act of the Person instead of whom he shall have been so elected.

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41.

CLAUSE (I.)
In case of ill-
ness of Alder-
man at Elec-
tion.

And be it Enacted, That in case of the illness or incapacity to act of any Alderman at any election, the Mayor shall be empowered to appoint another Alderman to act in the room of such Alderman during such illness or incapacity.

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42.

CLAUSE (K.)
Assessor may
appoint a
Deputy.

And be it Enacted, That every Assessor shall be empowered, and he is hereby directed as soon as conveniently may be after his election, and from time to time as the occasion may arise or to him may seem fit, to appoint under his hand a deputy to act for him in case of his illness or incapacity to act at any election, or any revision of the Burgess Lists; and every such appointment shall be signified by him in writing, under his hand, to the Council, and shall be recorded on the minutes of their proceedings.

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43.

Existing
Mayors and
Councils to go
out of Office
on election of
Councils un-
der this Act.

And be it Enacted, That after the declaration of the first election of the Councillors under the provisions of this Act in any Borough, the Mayor, Aldermen and Common Councilmen, and all other members of the Common Council or Governing Body of the Body Corporate, if any, named in conjunction with such Borough in the said Schedules (A.) and (B.), by whatever name or style they may be known or called, then in office, or elected to any office, shall go out of office, and their whole powers and duties shall cease: Provided nevertheless, That any of the said Persons shall be eligible to be elected and appointed under the provisions of this Act: Provided also, That such Persons as by virtue of any Charter are Justices of the Peace in any Borough at the time of passing this Act, shall continue to have and exercise all the powers which at the time of passing this Act they have as Justices of the Peace, until the First day of December next after the first election of Councillors under this Act in that Borough, and no longer.

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44.

CLAUSE (L.)
Certain elec-
tions not to
be had.

And be it Enacted, That in every Borough in which by statute, charter, bye-law or custom, any election is appointed to be holden between the day on which this Act shall come into operation in that Borough and the Twenty-fifth day of October then next following, both inclusive, no such election shall be holden; but every Person holding office, or elected to any office in any Borough on the day on which this Act shall come into operation in that Borough, shall hold

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hold such office, and have all the powers, and be subject to all the duties, and be entitled to the same or a proportion of the same salary and fees of such office for the time for which he shall act, as he would have had and been if elected to such office between the
 5 day on which this Act shall come into operation in that Borough and the Twenty-fifth day of October then next following, until the time provided by this Act for him to go out of office, any statute, charter, bye-law or custom notwithstanding.

And be it Enacted, That every Borough in the said Schedule (A.)
 10 shall, as soon as this Act shall come into operation in that Borough, be divided into the number of Wards mentioned in such Schedule, in conjunction with the name of such Borough: Provided, That Parliament, by an Act to be passed in this present Session, shall direct in what manner such division shall be made, and shall apportion
 15 tion among the several Wards of such Borough the number of Councillors and Aldermen mentioned in conjunction with the name of such Borough in the said Schedule, so that the number of Councillors assigned to each Ward may be a number divisible by Three, and the number of Aldermen One-third of the number of Councillors;
 20 and in that case the number of Councillors and Aldermen so assigned to each Ward of such Borough shall thenceforth be the number to be elected in such Ward as hereinafter mentioned.

45.
 Certain Boroughs to be divided into Wards.

And be it Enacted, That in every case in which there shall be a division into Wards of any Borough, the Burgesses of every such
 25 Ward, and none others, shall, on the Twenty-fifth day of October next after such division, separately elect from the Persons qualified to be Councillors, the whole number of Aldermen and Councillors assigned to such Ward; and the One-fourth of the Persons so elected who shall have the greatest number of votes shall be the Aldermen of such
 30 Ward, and the remaining Three-fourths shall be the Councillors of such Ward; and the Burgesses of such Ward, and none others, in every subsequent year shall separately elect from the Persons qualified to be Councillors One-third part of the whole number of Councillors assigned to such Ward, and in every Third subsequent year
 35 One-half of the whole number of Aldermen assigned to such Ward, and on the First day of November next after the first election of Councillors in such Ward, and in every subsequent year, shall separately elect from the Persons qualified to be Councillors Two Assessors for such Ward, besides the Two Assessors chosen as aforesaid
 40 by the Burgesses of the whole Borough, to hold the Court with the Mayor for revising the Burgess Lists; and every such Ward election first after such division into Wards of any Borough shall be held before the Barrister appointed by the Lord Lieutenant as aforesaid, or the Person whom the said Barrister shall and is hereby required to

46.
 Election of Councillors and Assessors in Wards.

appoint in that behalf, and in every succeeding year shall be held before the Alderman whom the Councillors chosen in such Ward shall yearly appoint in that behalf, and before the Two Assessors of such Ward; and the votings and other proceedings in all other respects at such Ward elections shall be conducted in the same manner as at elections of Aldermen, Councillors or Assessors respectively by the Burgesses of the whole Borough; and the Alderman and Assessors of each Ward, and the Persons who may be so appointed shall have the same powers in regard to elections in their Ward as the Mayor and Assessors for the whole Borough, if not divided into Wards; and every Person so elected an Alderman, Councillor or Assessor in such Ward shall hold his office for the same time that he would have held it if he had been elected by the Burgesses of the whole Borough, and if the number elected in such Ward had been the whole number for the Borough.

47.
Lists of the Burgesses in each Ward to be made out yearly.

And be it Enacted, That for the purpose of better ascertaining who are the Burgesses of any such Ward, the Burgess Roll of every Borough so divided into Wards shall thenceforward yearly be made out, by or under the direction of the Town Clerk, in Alphabetical Lists of the Burgesses in each Ward, to be called "Ward Lists."

48.
Burgesses to vote for the Councillors of the Ward in which their property is situate.

And be it Enacted, That after such division into Wards every Burgess of any Borough shall be entitled to vote in the election of the Aldermen and Councillors to be chosen within that Ward in which some part of the property of such Burgess, in respect of which he is enrolled on the Burgess Roll for the time being of such Borough, shall appear to be situated, and not otherwise; and in case it shall happen that any Burgess shall be entitled to be enrolled in respect of property in two or more Wards, then he shall, if otherwise duly qualified according to the provisions of this Act, be enrolled and vote in such one of the said Wards as he shall at the time of his enrolment select, by writing under his hand delivered to the Town Clerk, or left at his office on or before the Fifth day of September in any year, or, in default of his selection, as the Mayor shall determine, but not in more than one.

49.
Manner of proceeding, if any Person is elected a Councillor in more than one Ward.

And be it Enacted, That if at any election of Aldermen, Councillors or Assessors for any Borough, any Person shall be elected an Alderman, Councillor or Assessor in more than one of the Wards of such Borough, he shall, within Three Days after notice thereof, choose, or in his default the Mayor shall declare for which one of the said Wards such Alderman, Councillor or Assessor shall serve, and such Person shall thereupon be held to be elected in that Ward only which he shall so choose, or which the Mayor shall so declare.

And

And be it Enacted, That if any extraordinary vacancy shall be
 occasioned in the office of Councillor, Auditor or Assessor for any
 Borough, the Burgesses entitled to vote shall, on a day to be fixed
 by the Mayor of such Borough, or by the Alderman of the Ward
 5 in which the vacancy has happened, accordingly as the election is
 to be by the Burgesses of the whole Borough, or of any particular
 Ward (such day not to be later than Ten Days after such vacancy),
 elect from the Persons qualified to be Councillors another Burgess to
 supply such vacancy ; and such election shall be held, and the voting
 10 and other proceedings, in case of a contest, shall be conducted in the
 same manner and subject to the same provisions as are hereinbefore
 enacted with respect to the election of Councillors as aforesaid ; and
 every Person so elected shall hold such office until the time at which
 the Person in room of whom he was chosen would regularly have
 15 gone out of office, and he shall then go out of office, but shall
 be capable of immediate re-election, if then qualified as herein
 provided.

50.
 Occasional
 Vacancies of
 Councillors to
 be filled up
 by fresh
 Election.

And be it Enacted, That if any extraordinary vacancy shall be
 occasioned in the office of Alderman by reason of any Person who
 20 shall have been elected to such office not accepting the same, or by
 reason of his dying or ceasing to hold the said office, the Burgesses,
 in case no division into Wards shall have been made, and when such
 division shall have been made, the Burgesses of the Ward in which
 the vacancy may have occurred shall, within Ten Days after such
 25 vacancy, elect out of the Councillors, or Persons qualified to be
 Councillors of the Borough, another fit Person to be an Alderman
 of the Ward, instead of the Person so declining, dying or ceasing to
 hold office.

51.
 Occasional
 Vacancies in
 the Office of
 Aldermen to
 be supplied.

And be it Enacted, That on the First day of November in every
 30 year, the Council of the Borough shall elect out of the Aldermen or
 Councillors of such Borough a fit Person to be the Mayor of such
 Borough, who shall continue in his office for One whole Year,
 and until the election of his successor ; and in case of an equality
 of votes in any election of Mayor, the Alderman who shall have
 35 been elected by the greatest number of votes shall have a second or
 casting vote ; and in case a vacancy shall be occasioned in the
 office of Mayor of the Borough during such year by reason of any
 Person who shall have been elected to such office not accepting the
 same, or by reason of his dying or ceasing to hold the said office, the
 40 Council of the Borough shall, within Ten Days after such vacancy,
 elect out of the Aldermen or Councillors of the said Borough
 another fit Person to be the Mayor thereof for the remainder of the
 then current year.

52.
 Election of
 Mayor by
 Council.

53.

The Mayor to be a Justice of the Peace for the Borough and for the County, and Returning Officer at Elections of Members to serve in Parliament.

And be it Enacted, That the Mayor for the time being of every Borough shall be a Justice of the Peace of and for such Borough, and such Mayor shall, during his Mayoralty, have precedence in all places within the Borough; and in Boroughs which return a Member or Members to serve in Parliament, other than Cities and Towns which are Counties of themselves, shall be the Returning Officer at all elections for such Members; and such Mayor or other Returning Officer of any Borough shall, if he shall think fit, or if any Candidate shall require the same, be assisted in such of the said Boroughs as shall have a Recorder by the Recorder of such Borough as his Assessor at such election; and in case the Mayor shall, at the time when it shall be necessary to execute the powers and duties herein provided with respect to any elections, be dead or absent, or otherwise incapable of acting, the Council of such Borough shall forthwith elect one of the Aldermen to be the Returning Officer for such Borough in the place of the Mayor being so dead, absent or otherwise incapable.

54.

Mayor, Aldermen and Councillors not to act until they have made a Declaration of acceptance of office.

And be it Enacted, That no Person elected a Mayor, Alderman or Councillor, Assessor or Auditor for any Borough, or Ward of any Borough, under the provisions of this Act, shall be capable of acting as such, except in administering the Declaration hereinafter contained, until he shall have made and subscribed, before any Two or more of such Aldermen or Councillors (who are hereby respectively authorized and required to administer the same), a Declaration in the words or to the effect following; (that is to say)

“ I, A. B., having been elected Mayor [or, Alderman, Councillor, Auditor or Assessor] for the Borough of [or, for the Ward of _____] in the Borough of _____] do hereby declare, That I take the said office upon myself, and will duly and faithfully fulfil the duties thereof according to the best of my judgment and ability.”

And in the case of the Party being required to be qualified by estate, say,

“ And I do hereby declare, That I am seised or possessed of real or personal estate, [or both, as the case may be] to the amount of One thousand Pounds [or, Five hundred Pounds, as the case may require], over and above what will satisfy my debts.”

Or when a qualification by reason of the occupancy of a house value is allowed :

“ That I now occupy and have for Twelve Months last past occupied a house of the clear yearly value of Twenty-five Pounds, or Fifteen Pounds [as the case may be], situate within the Borough of _____

Provided

Provided that when a Borough rate shall have been imposed in any Borough under this Act, the words "rated as being of the value" shall be inserted instead of the words "of the clear yearly value."

- 5 And that every Alderman who shall have made and subscribed the foregoing Declaration in respect of estate, shall once in every period of Three Years, if required in writing so to do by any Two Members of the Council, make and subscribe a Declaration that he is qualified to the same amount in real or personal estate, or both, as the case
10 may then be, as the amount mentioned in the Declaration originally made or subscribed by him.

- And be it Enacted, That every Person duly qualified, who shall be elected to the office of Alderman, Councillor, Auditor or Assessor, and every Councillor or Alderman who shall be elected to the office of
15 Mayor for any Borough, shall accept such office to which he shall have been elected, or shall in lieu thereof pay to the Mayor, Aldermen and Burgesses of such Borough such Fine, not exceeding Fifty Pounds in case of Aldermen, Councillors, Assessors or Auditors, and such Fine not exceeding One hundred Pounds in case of Mayor, as the
20 Council of such Borough, by a Bye-law to be made as hereinafter provided, shall declare in that behalf; and such Fine, if not duly paid, shall be levied by the Warrant of any Justice having jurisdiction within such Borough, who is hereby required, on application of the Council, to issue the same by distress and sale of the
25 goods and chattels of the Person so refusing to accept such office, with the reasonable charges of such distress, and shall also be recoverable by way of Civil Bill in any action of debt, at the suit of the Mayor, Alderman and Burgesses of such Borough, in the Court of the Assistant Barrister, Chairman or Recorder having jurisdiction, by way of Civil Bill, within such Borough; and every such
30 Person so elected shall accept such office, by making and subscribing the Declaration hereinbefore mentioned, within Five Days after notice of his election, otherwise such Person shall be liable to pay the said Fine as for his non-acceptance of such office; and
35 such office shall thereupon be deemed to be vacant, and shall be filled up by a fresh election, to be made in the manner hereinbefore mentioned: Provided always, That no Person disabled by lunacy or imbecility of mind, or by deafness, blindness or other permanent infirmity of body, shall be liable to such Fine as aforesaid: Pro-
40 vided also, That every Person so elected to any such office, who shall be above the age of Sixty-five Years, or who shall have already served such office respectively or paid the Fine for not accepting such office respectively, within Five Years from the day on which he shall be so re-elected, shall be exempted from accept-

55.
Every Burgess elected to the office of Councillor, and every Councillor elected to the office of Mayor or Alderman shall accept the office, or pay a Fine to the Borough Fund.

Exemptions.

ing or serving the same office, if he shall claim such exemption within Five Days after notice of his election; and that nothing herein contained shall extend to compel the acceptance of any office or duty whatever in any Borough by any Military, Naval or Marine Officer in Her Majesty's service on full pay, or any officer of Excise or Customs, or any Person employed in any of Her Majesty's Dockyards, Victualling Establishments, Arsenals or Barracks, or any person serving in the office of High or Sub-Sheriff of a county at large, or being a Member of either House of Parliament. 5

56.
 CLAUSE (M.)
 Provision for
 resigning
 office

And be it Enacted, That every Person elected into any corporate office in any of the said Boroughs, may at any time resign such office on payment of the fine which he would have been liable to pay for non-acceptance of the same office, or if he shall become entitled to claim exemption from payment of any such fine, or from accepting or serving such office under any provision hereinbefore contained. 10 15

57.
 Any Mayor,
 Alderman or
 Councillor, if
 he shall be
 declared
 Bankrupt or
 Insolvent, or
 absent himself
 from the
 Borough, shall
 lose his office.

And be it Enacted, That if any Person holding the office of Mayor, Alderman or Councillor for any Borough shall be declared Bankrupt, or shall apply to take the benefit of any Act for the relief of Insolvent Debtors, or shall compound by deed with his Creditors, or being Mayor be absent for more than Two calendar Months, or being an Alderman or Councillor for more than Six Months, at one and the same time (unless in case of illness or other reasonable cause to be allowed by the Council), from the Borough of which he shall be Mayor, Alderman or Councillor, then and in every such case such Person shall thereupon immediately become disqualified, and shall cease to hold the office of such Mayor, Alderman or Councillor as aforesaid, and in case of such absence shall be liable to the same Fine, to be recovered in the same manner as if he had refused to accept the said office; and the Council thereupon shall forthwith declare the said office to be void, and shall signify the same by notice in writing under the hands of Three or more of them, countersigned by the Town Clerk, to be affixed in some public place within the Borough, and the said office shall thereupon become void; but every Person so becoming disqualified, and ceasing to hold such office, on account of his being declared a Bankrupt, or of his applying to take the benefit of any Act for the relief of Insolvent Debtors, or having compounded with his Creditors as aforesaid, shall, on obtaining his Certificate, or on payment of his debts in full, be capable, if otherwise qualified, of being re-elected to such office; and every Person becoming disqualified to hold such office on account of absence as aforesaid shall, on his return to such Borough, be capable of being re-elected to such office, provided he shall then be otherwise qualified. 20 25 30 35 40

And

Penalty on
Person not
qualified, &c.
acting as
Mayor,
Alderman or
Councillor.

And be it Enacted, That if any Person shall act as Mayor, Alderman or Councillor, or Auditor or Assessor for any Borough, or for any Ward in any Borough, without having made the Declaration hereinbefore required in that behalf, or without being duly qualified at the time of making such Declaration, or after he shall have
5 ceased to be qualified according to the provisions of this Act, or after he shall have become disqualified to hold any such office, he shall for every such offence forfeit the sum of Fifty Pounds, such sum to be recovered, with full costs of suit, by any Person who will
10 sue for the same, within Three calendar Months after the commission of such offence, by action of debt or on the case, in any of Her Majesty's Superior Courts of Record; and every Person so sued by reason of not being so qualified in respect of estate shall prove that he was at the time of so acting qualified as aforesaid, or otherwise
15 shall pay the said Penalty, without any further evidence being given on the part of the Plaintiff than that such Person has acted as the Mayor, or as Alderman, Councillor, Auditor or Assessor (as the case may be) of such Borough or Ward (as the case may be): Provided always, That it shall be lawful for any Defendant by Judge's order,
20 or by the order of the Court, to be obtained within Fourteen Days after he shall have been served with process in any such action, to require the Plaintiff to give security for Costs; and in such case all further proceedings in the said cause shall be stayed until the Plaintiff shall give security to the satisfaction of the proper officer of the Court for
25 the Costs of such action, in case a verdict shall pass for the Defendant, or the Plaintiff shall become nonsuit or discontinue such action, or if upon demurrer or otherwise judgment shall be given against the Plaintiff, and the Defendant shall in either of such cases recover his full Costs as between Attorney and Client: Provided also, That no such
30 action shall be brought except by a Burgess of such Borough, nor unless the Burgess bringing the same shall, within Fourteen Days after the commission of the offence, have served a notice in writing personally upon the party committing such offence, of his intention to bring such action; and in case the Plaintiff in any such action shall
35 obtain a verdict, the money so to be recovered shall, after payment of the costs and expenses attending the recovery thereof, be paid and apportioned as follows; (that is to say) one Moiety thereof to the Person so suing, and the other Moiety thereof to the Treasurer to be appointed by virtue of this Act, to be by him applied in aid of the
40 Borough Fund: Provided also, That all acts and proceedings of any person in possession of the office of Mayor, Alderman, Councillor, Auditor or Assessor, and acting as a Mayor, Alderman, Councillor, Auditor or Assessor, shall, notwithstanding such disqualification or want of qualification, or any other defect or want of title, be as valid and effectual as if such Person had been duly qualified or entitled; and no Person enrolled on the Burgess Roll for the

Provided,

time being of any Borough, and who shall act as Mayor, Alderman, Councillor, Auditor or Assessor in that Borough, shall be liable to any penalty for so acting, on the ground that he was not entitled to be on the Burgess List of such Borough.

59.
Persons convicted of Bribery disqualified from voting at any Election for Members of the Council.

And be it Enacted, That if any Person who shall have or claim to have any right to vote in any election of Mayor, or of an Alderman, Councillor, Auditor or Assessor of any Borough, shall, after the passing of this Act, ask or take any money or other reward by way of gift, loan or other device, or agree or contract for any money, gift, office, employment or other reward whatsoever, to give or forbear to give his vote in any such election ; or if any Person, by himself or any Person employed by him, shall by any gift or reward, or by any promise, agreement or security for any gift or reward, corrupt or procure, or offer to corrupt or procure, any Person to give or forbear to give his vote in any such election, such Person so offending in any of the cases aforesaid shall for every such offence forfeit the sum of Fifty Pounds, to be recovered, together with full costs of suit, by any one who shall sue for the same by action of debt, bill, plaint or information, in any of Her Majesty's Courts of Record at Dublin ; and any Person offending in any of the cases aforesaid being lawfully convicted thereof, shall for ever be disabled to vote in any election in such Borough, or in any Municipal or Parliamentary election whatever in any part of the United Kingdom, and also shall for ever be disabled to hold, exercise or enjoy any office or franchise to which he then shall or at any time afterwards may be entitled as a Burgess of such or any other Borough, as if such Person was naturally dead : Provided nevertheless, That if any Person offending in any of the cases aforesaid shall, within the space of Twelve calendar Months next after such election as aforesaid, discover any other Person or Persons offending in any of the cases aforesaid, so that such Person or Persons so discovered be therein convicted, such Person so discovering, and not having been before that time convicted of any such offence, shall be indemnified and discharged from all penalties and disabilities which he shall then have incurred by any such offence.

Persons offending in any of the cases aforesaid, discovering others so offending within Twelve Months, discharged from all Penalties.

60.
No Person to be made liable to incapacity or Penalty unless Prosecution commenced within Two Years.

Provided always, and it is hereby Enacted, That no Person shall be made liable to any incapacity, disability, forfeiture or penalty by this Act imposed, in any of the cases aforesaid, unless prosecution be commenced within Two Years after such incapacity, disability, forfeiture or penalty shall be incurred ; any thing herein contained to the contrary notwithstanding.

61.
Questions to be decided by a majority of Councillors present ; one

And be it Enacted, That all acts whatsoever authorized or required by virtue of this Act to be done by the Council of any Borough, and all questions of adjournment, or others that may come before

before such Council, may be done and decided by the majority of the Members of the Council who shall be present at any Meeting held in pursuance of this Act, the whole number present at such Meeting not being less than One-third part of the number of the whole Council; and at all such Meetings the Mayor, if present, shall preside, and the Mayor, or in case of the absence of the Mayor, such Alderman or Councillor as the Members of the Council then assembled shall choose to be the Chairman of that Meeting, shall have a second or casting vote in all cases of equality of votes; and Minutes of the Proceedings of all such Meetings shall be drawn up and fairly entered into a Book to be kept for that purpose, and shall be signed by the Mayor, Alderman or Councillor presiding at such Meeting; and the said Minutes shall be open to the inspection of any Burgess at all reasonable times on payment of a Fee of One Shilling: Provided always, That previous to any Meeting of the Council held by virtue of this Act, a Notice of the time and place of such intended Meeting shall be given Three clear Days at least before such Meeting, by fixing the said Notice on or near the door of the Town Hall of the Borough; and such Notice shall be signed by the Mayor, who shall have power to call a Meeting of the Council as often as he shall think proper; and in case the Mayor shall refuse to call any such Meeting after a requisition for that purpose, signed by Five Members of the Council at the least, shall have been presented to him, it shall be lawful for the said Five Members to call a Meeting of the Council, by giving such Notice as is hereinbefore required in that behalf, such Notice to be signed by the said Members instead of the Mayor, and stating therein the business proposed to be transacted at such Meeting; and in every case a summons to attend the Council, specifying the business proposed to be transacted at such Meeting, signed by the Town Clerk, shall be left at the usual place of abode of every Member of the Council, or at the premises in respect of which he is enrolled a Burgess, Three clear Days at the least before such Meeting; and no business shall be transacted at such Meeting other than is specified in the Notice: Provided always, That there shall be in every Borough Four quarterly Meetings in every year at which the Council shall meet for the transaction of general business, and no Notice shall need to be given of the business to be transacted on such quarterly days; and the said quarterly Meetings shall be holden at noon on the First day of November and at such hour on such other Three Days before the Twenty-fifth day of October then next following, as the Council at the quarterly Meeting in November shall decide, and the first business transacted at the quarterly Meeting in November shall be the election of Mayor.

third part of
whole number
to be a Quo-
rum.

62.

Power to
Council to
appoint Town
Clerk, Treas-
urer and
other Officers
and to take
Security for
due discharge
of their official
Duties.

And be it Enacted, That the Council of every Borough in every year shall appoint, to be removable at their pleasure, a fit Person, not being a Member of the Council, to be the Town Clerk of such Borough, and one other fit Person, not being a Member of the Council, to be the Treasurer of the Borough, and also such other Officers as have been usually appointed in such Borough, or as they shall think necessary for enabling them to carry into execution the various powers and duties vested in them by virtue of this Act, and may from time to time discontinue the appointment of such officers as shall appear to them not necessary, and shall take such security for the due execution of his office by any such Town Clerk, Treasurer or other Officer, as the said Council shall think proper; and shall order to be paid to the Mayor, and to the Town Clerk and Treasurer, and to every such other Officer to be employed as aforesaid, such Salary or Allowance as the said Council shall think reasonable; and in case of a vacancy in any such office as aforesaid, by death, resignation, removal or otherwise, the Council of such Borough may appoint another fit Person in the place of the Person so making such vacancy; provided that the Town Clerk and Treasurer shall not be the same Person.

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63.

Officers to ac-
count, &c.
according to
the orders of
the Council.

And be it Enacted, That every Treasurer, Town Clerk, or other Officer appointed by the Council as aforesaid, shall, at such times during the continuance of his office, or within Three calendar Months after the expiration of his office, and in such manner as the said Council shall direct, deliver to the Council, or to such Person as they shall authorize for that purpose, a true account in writing of all matters committed to his charge by virtue of this Act, or under colour of his office, and also of all monies which shall have been by him received by virtue or for the purposes of this Act, or under colour of his office, and how much thereof shall have been paid and disbursed, and for what purposes, together with proper Vouchers for such payments, and also a List of the Names of all such Persons as shall not have paid the monies due from them for the purposes of this Act, and of the amount due from each of them; and every such Officer shall pay all such monies as shall remain due from him to the Treasurer for the time being, or to such Person as the said Council shall authorize to receive the same; and if any such Officer shall refuse or wilfully neglect to deliver such Account, or the Vouchers relating to such Account, or such List as aforesaid, or to make payment as aforesaid, or shall refuse or wilfully neglect to deliver to the said Council, or to such Person as they shall authorize, within Three Days after being thereunto required by notice in writing under the hands of any Three or more of the said Council, to be given to or left at the last place of abode of such Officer, all books, papers and writings

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Summary
Remedy
against
Officers for
not account-
ing, &c.

writings in his custody or power relating to the execution of this Act, or to give satisfaction to the said Council, or to such other Person as aforesaid respecting the same, then and in every such case, upon complaint made on behalf of the said Council, by such Person as
5 they shall authorize for that purpose, of any such refusal or wilful neglect as aforesaid, to any Justice of the Peace for the County or other jurisdiction wherein such Officer so refusing or neglecting shall be or reside, such Justice is hereby authorized and required to issue a Warrant under his hand and seal for bringing such Officer before
10 any Two Justices of the Peace for such county or jurisdiction; and upon the said Officer appearing or not being found, it shall be lawful for such Justices to hear and determine the matter in a summary way; and if it shall appear to such Justices that any monies remain due from such Officer, such Justices may and they are hereby au-
15 thorized and required, upon non-payment thereof, by Warrant under their hands and seals, to cause such monies to be levied by distress and sale of the goods of such Officer; and if sufficient goods shall not be found to satisfy the said monies and the charges of the distress, or if it shall appear to such Justices that such Officer has
20 refused or wilfully neglected to deliver such Account or the Vouchers relating thereto, or such List as aforesaid, or that any books, papers or writings relating to the execution of this Act remain in the hands or in the custody or power of such Officer, and that he has refused or wilfully neglected to deliver the same, or to give satisfaction re-
25 specting the same as aforesaid, then and in every such case such Justices shall and they are hereby required to commit such offender to the Common Gaol or House of Correction for the County or Jurisdiction where such offender shall be or reside, there to remain without bail until he shall have paid such monies as aforesaid, or shall
30 have compounded with the said Council for such monies, and shall have paid such composition in such manner as they shall appoint (which composition the said Council are hereby empowered to make and receive), or until he shall have delivered a true account as aforesaid, together with such Vouchers and List as aforesaid, or until he
35 shall have delivered up such books, papers and writings, or have given satisfaction in respect thereof to the said Council, or to such other Person as aforesaid, as the case may be: Provided always, That no Person so committed shall be detained in prison, for want of sufficient distress only, for a longer space of time than Three
40 calendar Months: Provided also, That nothing in this Act contained shall prevent or abridge any remedy by action against any such Officer so offending as aforesaid, or against any Surety for any such Officer, but such Officer shall not be sued by action, and also proceeded against in a summary manner by virtue of this Act for the same cause.

Proviso.

Remedy by
Action.

64.
Officers to
continue until
removed.

And be it Enacted, That the Council elected under this Act in any Borough shall have power to remove from his office every Town Clerk, Bailiff, Treasurer or Chamberlain, and every other ministerial or executive officer of such Borough and Body Corporate, except the Sheriff, who shall be in office at the time of the first election of Councillors under this Act; and every such Town Clerk, Bailiff, Treasurer or Chamberlain, and every other ministerial or executive Officer in such Borough, shall continue to act in the same capacity as heretofore, and to execute all the duties heretofore belonging to his office, and be entitled to have the same salaries, fees and emoluments as he would have had if this Act had not passed, until he shall be removed from his office, and no longer, unless he shall be re-appointed according to the provisions of this Act; and every Officer who shall be in possession or receipt of any monies, goods, valuable securities, books or papers, belonging to or concerning the Body Corporate, whose officer he is, shall deliver up and account for the same to the Council of such Body Corporate appointed under this Act; and in case they or any of them shall refuse or wilfully neglect to deliver such Accounts, Vouchers and Lists, or to make such payments, or to deliver such Books, Papers and Writings, or to give satisfaction respecting the same, as is hereinbefore provided in the case of Officers appointed by such Council, they and every of them may be proceeded against, and shall be subject and liable to the several provisions hereinbefore contained in cases of Officers appointed by such Council; and all the Charters, Deeds, Muniments and Records of every Borough, or relating to the property thereof, shall be kept in such place as the Council from time to time shall direct, and the Town Clerk for the time being shall have the charge and custody of and be responsible for the same.

65.
Officers to
receive Com-
pensation on
removal.

And be it Enacted, That every Officer of any Borough or County who shall be in any office of profit at the time of the passing of this Act, whose office shall be abolished, or who shall be removed from his office under the provisions of this Act, or who shall not be re-appointed as aforesaid, shall be entitled to have an adequate compensation, to be assessed by the Council and paid out of the Borough Fund, for the salary, fees and emoluments of the office which he shall so cease to hold, regard being had to the manner of his appointment to the said office, and his term or interest therein, and all other circumstances of the case; and every Person entitled to such compensation as aforesaid shall deliver to the Town Clerk, or in case such Person shall himself be Town Clerk, then to the Treasurer of the Borough, a statement under the hand of such Person, setting forth the amount received by him or his predecessors in every year during the period of Five Years next before the passing

passing of this Act, on account of the salary, fees, emoluments, profits and perquisites in respect whereof he shall claim such compensation, distinguishing the office, place, situation, employment or appointment in respect whereof the same shall have been received, and
 5 containing a declaration that the same is a true statement according to the best of the knowledge, information and belief of such Person, and also setting forth the sum claimed by him as such compensation; and the Town Clerk or Treasurer, as the case shall be, shall lay such statement before the Council, who shall take the same into
 10 consideration and determine thereon; and immediately upon such determination being made, the Person preferring such claim, if he shall not himself be the Town Clerk, shall be informed thereof by notice in writing under the hand of the Town Clerk; and in case such claim shall be admitted in part and disallowed in part, such
 15 notice shall specify the particulars in which the same shall have been admitted and disallowed respectively; and in case the Person preferring such claim shall think himself aggrieved by the determination of the Council thereon, or in case One-third of the Members of the Council shall subscribe a protest against the amount of compensation
 20 allowed by the determination of the Council, as excessive, it shall be lawful for the Person preferring such claim, or any Member of the Council who shall subscribe such protest, to appeal to the Commissioners of Her Majesty's Treasury, who shall thereupon make such order as to them shall seem just; and such order, signed by
 25 Three or more of such Commissioners, shall be binding on all parties: Provided always, That if the Council shall not determine on such claim within Six calendar Months after the aforesaid statement shall be delivered to the Town Clerk or Treasurer, as the case shall be, such claim shall be considered as admitted: Provided also,
 30 That it shall not be lawful for any Member of the Council to subscribe such protest as aforesaid, except within such period of Six calendar Months: Provided also, That the Person preferring such claim, if any Member of the Council shall so require, upon receiving notice in writing, signed by the Town Clerk, unless such Person
 35 shall himself be Town Clerk, in which case no such notice shall be requisite, shall from time to time attend at any meeting or adjourned meeting of the Council for the investigation of such claim, and then and there, upon his oath, or solemn affirmation, or his declaration, to be taken or made before the Mayor (who is hereby authorized to
 40 administer the same), shall answer all such questions as shall be asked by any Member of the Council, touching the matters set forth in the statement subscribed by such Person as aforesaid, and produce all books, papers and writings in his possession, custody or power relating thereto: Provided also, That every such Officer who shall be continued in or re-appointed to such office under the provisions of this Act, and who shall be subsequently removed from such office for

any cause other than such misconduct as would warrant removal from any office held during good behaviour, shall be entitled to compensation in like manner as if he had been forthwith removed under the provisions of this Act, and had not been continued in or re-appointed to such office.

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66.

Compensation
to be secured
by Bond under
Common Seal.

And be it Enacted, That the value of the sum payable to any Person as such compensation as aforesaid, if not forthwith paid, shall be secured to such Person by bond or obligation under the common seal of the Borough, out of whose Funds the same shall be payable, in a sufficient penalty conditioned for the payment to such Person, 10 his executors or administrators or assigns, of the value of such sum, with interest and all arrears thereof (if any) accrued due before the date of such bond ; and such bond or obligation shall be prepared and executed at the expense of the Borough Fund, and delivered to the Person entitled to such compensation as soon as conveniently 15 may be after the amount thereof shall have been admitted as aforesaid by the Council of the Borough ; or shall have been determined in the event of such appeal as aforesaid by order of the said Lords Commissioners.

67.

Reservation
of certain
Pensions and
Allowances.

And be it Enacted, That all Pensions and Allowances granted on 20 or before the Fifth day of June One thousand eight hundred and Thirty-five, by the Corporate Body named in the said Schedules, in conjunction with any Borough, to any retired Officer or servant, or to the widow or child of any Officer or servant, and all Stipends and Allowances which, during Seven Years next before the said Fifth 25 day of June have been usually paid and granted to the Minister or late Minister of any church or chapel, or to the Master or Usher of any school, or to the Governor or Master of any hospital within such Borough, and all charitable allowances which have been usually paid as aforesaid to the Inmates of any almshouses by such Corporate 30 Body, shall be secured, as soon as conveniently may be after the passing of this Act, to every Person entitled or accustomed to have and receive the same by bond or obligation under the common seal of the Borough, out of whose Funds the same shall be payable, in a sufficient penalty conditioned for the payment to such Person, his 35 executors and administrators, of such pension, stipend or allowance, with all arrears thereof, if any, accrued due before the date of such bond ; and such bond or obligation shall be prepared and executed at the expense of the Borough Fund.

68.

Power to
Council to
appoint
Committees.

And be it Enacted, That it shall be lawful for the Council of any 40 Borough to appoint out of their own body from time to time, such and so many Committees, either of a general or special nature, and consisting of such number of Persons as they may think fit, for any purposes

purposes which, in the discretion of such Council, would be better regulated and managed by means of such Committees: Provided always, That the acts of every such Committee shall be submitted to the Council for their approval.

69.
Charitable
Trustees.

5 AND whereas it is expedient that the administration of any real
or personal estate of which any Body Corporate now stand seised
or possessed, in trust as to the whole or in part for certain charitable
trusts, be kept distinct from that of the Public Stock and Borough
Fund; BE it Enacted, That in every Borough in which the Body
10 Corporate or any one or more of the members of such Body Corpo-
rate, in his or their corporate capacity, now stands or stand solely or
together with any Person or Persons elected solely by such Body
Corporate, or solely by any particular member, class or description
of members of such Body Corporate, seised or possessed for any estate
15 or interest whatsoever, of any hereditaments or any sums of money,
chattels, securities for money, or any other personal estate whatsoever,
in whole or in part, in trust or for the benefit of any charitable uses
or trusts whatsoever, all the estate, right, interest and title, and all
the powers of such Body Corporate, or of such member or members,
20 nominee or nominees of such Body Corporate in respect of the said
uses and trusts, shall continue in the Persons who at the time of the
passing of this Act are such Trustees as aforesaid, notwithstanding
that they may have ceased to hold any office by virtue of which,
before the passing of this Act, they were such Trustees, until the First
25 day of May, in the year next after the year in which this Act shall
come into operation in such Borough, or until Parliament shall
sooner otherwise order, and shall immediately thereupon utterly cease
and determine: Provided always, That if any vacancy shall be
occasioned among the Charitable Trustees for any Borough before the
30 said First day of May, it shall be lawful for the Lord Chancellor of
Ireland, or Lords Commissioners for the custody of the Great Seal
then for the time being, upon petition in a summary way, to appoint
another Trustee to supply such vacancy; and every Person so appointed
a Trustee as last aforesaid, shall be a Trustee until the time at which
35 the Person in the room of whom he was chosen would regularly have
ceased to be a Trustee, and he shall then cease to be a Trustee: Pro-
vided also, That if Parliament shall not otherwise direct, on or before
the said First day of May, the Lord Chancellor of Ireland, or Lords
Commissioners of the Great Seal, then shall make such orders as he
40 or they shall see fit for the appointment of a Trustee or Trustees, and
the administration of such trust estate, subject to such charitable uses
or trusts as aforesaid; and thereupon the Trustee or Trustees so
appointed, shall come in the room of the Body Corporate, or of such
member or members, nominee or nominees of such Body Corporate
as aforesaid, as to such trust estates, hereditaments and premises; and

all the estate, right, interest and title at law and in equity of and in such trust estates, hereditaments and premises, shall forthwith, without any conveyance or assignment thereof, pass to and be vested in the Trustee or Trustees so appointed by the Lord Chancellor or Lords Commissioners of the Great Seal in Ireland.

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70.

Council to become Visitors and Trustees of al. Acts of which Corporators were ex officio sole Trustees, &c.

And be it Enacted, That from and after the time when this Act shall come into operation in any Borough, the Body Corporate of such Borough shall be Trustees for executing, by the Council of such Borough, the powers and provisions of all Acts of Parliament made before the passing of this Act (other than Acts made for securing 10 charitable uses and trusts), and of all trusts (other than charitable uses and trusts) of which the Body Corporate, or any member or members of the said Body Corporate, in their corporate capacity, was or were sole Trustees before the time of the first election of Councillors in such Borough under this Act.

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71.

Council to appoint a limited number of Councillors to be Joint Trustees for certain purposes.

And be it Enacted, That from and after the time when this Act shall come into operation in any Borough in which a particular or limited number, class or description of members of the Body Corporate or of Persons appointed by the Body Corporate, was or were before the passing of this Act, Trustees jointly with other Trustees 20 for the execution of any Act of Parliament, or of any trust, in which any particular or limited number, class or description of members or nominees of the Body Corporate, by any statute, charter, bye-law or custom, was or were before the passing of this Act lawfully appointed to, or exercised any powers, duties or functions whatsoever not otherwise herein provided for, and the continuance of which is not inconsistent with the provisions of this Act, the Council of such Borough, on the day named in such Act as last aforesaid, or in the deed or will by which such trust is created, for a new election, nomination or appointment of Trustees, or on 30 which such new election, nomination or appointment has usually been made, (and if there shall be no such day named or usually served, then on the First day of January in every year), shall appoint the like number of Members of the Council, or as near as may be to the like number of Members of the Council, as there were theretofore members or nominees of such Corporate Body who in right of their office were such Trustees, or charged with the execution of such powers, duties and functions, in room of the members or nominees of such Corporate Body ceasing to be Trustees, or ceasing to exercise such powers, duties and functions by virtue of this Act, and in 40 every case of extraordinary vacancy among the Trustees or Persons so appointed by the Council, shall forthwith appoint one other Member of the Council in the room of the Person by whom such vacancy has been made, and to hold his trust or office for such time as the Person

Person by whom such vacancy has been made would regularly have held it.

And be it Enacted, That notwithstanding any thing in this Act contained, every Member of any Body Corporate who in his corporate capacity, and every nominee of any Body Corporate, or any particular number, class or description of Members of such Body Corporate, who at the time of the passing of this Act shall be for a definite number of years, or other shorter time, a Trustee of such acts or trusts as last aforesaid, shall continue to be such Trustee until the time when he would have ceased to be such Trustee if this Act had not been passed; and if a Trustee for an indefinite time, or for life, or for so long as he shall be a member, or of a particular class or description of such Body Corporate, then until the First day of January in the year following that in which this Act shall come into operation in that Borough, and no longer; and every member of the Council appointed under the provisions of this Act to be a Trustee of such acts or trusts as last aforesaid, shall continue to be such Trustee until the time herein provided for the new appointment of a Member of the Council to be Trustee in his room, notwithstanding that he may have ceased to be a Member of the Council; and in case any particular Member or Officer of any of the said Bodies Corporate shall have been appointed by any such Act, or by any such Trust, Deed or Will as last aforesaid, to perform during a definite number of years or other shorter time any specific powers, duties or functions whatsoever, the Person who at the time of the passing of this Act shall be the Person designated and qualified to perform the same, shall continue to perform the same until the time when he would have ceased to perform the same if this Act had not passed; and if appointed for an indefinite time, or for life, or for so long as he shall be a Member, or of a particular class or description of such Body Corporate, then until the last-named First day of January, and no longer.

72.
Present
Trustees of
certain Acts
continued for
a definite
time.

AND whereas it may be expedient that the powers now vested in the Trustees or Commissioners appointed under sundry Acts of Parliament for paving or lighting, or cleansing, or supplying with water, or improving certain Boroughs, or certain parts thereof, save and except as hereinafter mentioned, should be transferred to and vested in the Councils of such Boroughs respectively; BE it Enacted, That the Trustees or Commissioners appointed by virtue of any such Act as last aforesaid, wherein the Trustees, or the Persons whose Trustees they may be, are not beneficially interested, may, if it shall seem to them expedient, at a meeting to be called for that purpose, transfer in writing all the powers vested in them as such Trustees, by any such Act or Acts as aforesaid, to the said Body Corporate of such Borough;

73.
Powers vested
in Trustees
may be trans-
ferred to
Councillors.

and the said Body Corporate of such Borough shall thenceforth be Trustees for executing, by the Council of such Borough, the several powers and provisions of any such Act or Acts of Parliament, and the Members of the Council shall have the same powers and be subject to the same duties as if their names had been originally inserted in such Act or Acts (or as if they had been elected under the provisions of any such Act or Acts) as such Trustees respectively: Provided always, That nothing herein contained shall extend to enable the Commissioners for paving, cleansing and lighting the streets of Dublin, or the Commissioners for making wide and convenient streets in the City of Dublin, or the Corporation for improving the port and harbour of Dublin, so to transfer the powers vested in them respectively.

74.
A Watch
Committee to
consist of the
Mayor and
Councilmen;
such Com-
mittee to ap-
point Con-
stables for the
Borough.

And be it Enacted, That the Council to be elected for any Borough, the City of Dublin only excepted, shall, immediately after their first election, and so from time to time thereafter as they shall deem expedient, appoint, for such time as they may think proper, a sufficient number of their own body, who, together with the Mayor of the Borough for the time being, shall be and be called the Watch Committee for such Borough; and all the powers hereinafter given to such Committee may be executed by the majority of those who shall be present at any meeting of such Committee, the whole number present at such meeting being not less than Three; and such Watch Committee shall, within Three Weeks after their first formation, and so from time to time thereafter as occasion shall require, appoint a sufficient number of fit men, who shall be sworn in before some Justice of the Peace having jurisdiction within the Borough, to act as Constables for preserving the peace by day and by night, and preventing robberies and other felonies, and apprehending offenders against the peace; and the men so sworn shall, not only within such Borough, but also within the County in which such Borough or part thereof shall be situated, and also within every County being within One mile of any part of such Borough, and also within all Liberties in any such County, have all such powers and privileges and be liable to all such duties and responsibilities as any Constable duly appointed now has or hereafter may have within his Constablewick by virtue of the Common Law of his realm, or of any Statutes made or to be made, and shall obey all such lawful commands as they may from time to time receive from any of the Justices of the Peace having jurisdiction within such Borough, or within any County in which they shall be called on to act as constables, for conducting themselves in the execution of their office.

Constables
to be for the
County, &c.,
as well as
Borough.

75.
Watch Com-
mittee to
make Regula-

And be it Enacted, That the Watch Committee for any such Borough as aforesaid may from time to time frame such Regulations

as

as they shall deem expedient for preventing neglect or abuse, and for rendering such Constables efficient in the discharge of their duties; and the said Committee, or any Two Justices of the Peace having jurisdiction within the Borough, may at any time suspend or dismiss
 5 any Constable whom they shall think negligent in the discharge of his duty, or otherwise unfit for the same; and when any man shall be so dismissed, or cease to belong to the said Constabulary Force, all powers vested to him as a Constable by virtue of this Act shall immediately cease; and no man so dismissed as aforesaid shall be
 10 re-appointed without the consent of Two of the Justices of the Peace having jurisdiction within the Borough.

tious for the Management of the Constables.

And be it Enacted, That it shall be lawful for any Constable, during the time of his being on duty, to apprehend all idle and disorderly Persons whom he shall find disturbing the public peace, or whom
 15 he shall have just cause to suspect of an intention to commit a felony, and deliver any person so apprehended into the custody of the Constable appointed under this Act, who shall be in attendance at the nearest Watch-house, in order that such Person may be secured until he can be brought before a Justice of the Peace, to be dealt
 20 with according to law, or may give bail for his appearance before a Justice of the Peace, if the Constable shall think fit to take bail, in the manner hereinafter mentioned.

76.
Power to Constables to apprehend disorderly Persons, &c,

And be it Enacted, That where any Person charged with any petty misdemeanor shall be brought, without the Warrant of a Justice
 25 of the Peace, into the custody of any Constable appointed under this Act, during his attendance in the night-time at any Watch-house within any such Borough as aforesaid, it shall be lawful for such Constable, if he shall think fit, to take bail by Recognizance, without any fee or reward, from such Person, conditioned that such
 30 Person shall appear for examination within Two Days before a Justice of the Peace within the Borough, at some time and place to be specified in the Recognizance; and every Recognizance so taken shall be of equal obligation on the parties entering into the same, and liable to the same proceedings for the estreating thereof, as if the
 35 same had been taken before a Justice of the Peace; and the Constable shall enter in a book to be kept for that purpose in every Watch-house, the names, residence and occupation of the party, and his surety or sureties, if any, entering into such Recognizance, together with the condition thereof, and the Sums respectively ac-
 40 knowledged, and shall lay the same before such Justice as shall be present at the time and place when and where the party is required to appear; and if the party does not appear at the time and place required, the Justice shall declare such Recognizance forfeited, and shall issue his Warrant, directing the amount thereof to be paid to

77.
Constables attending at the Watch-houses in the night may take Bail by Recognizance from Persons brought before them for petty Misdemeanors; such Recognizance to be conditioned for the appearance of the Parties before a Magistrate.

In default of appearance, Recognizance to be forfeited.

Time of hearing may be postponed.

the Treasurer of said Borough, and in default of payment, directing the Person mentioned therein to levy off the goods and chattels of the Person named therein, the amount secured thereby, and the costs of the sale and of such warrant, and the same shall be levied and paid to the Treasurer of said Borough; and the Justice shall, if he shall think fit, be at liberty to enlarge the Recognizance to such further time as he shall appoint; and when the matter shall be heard and determined, either by the dismissal of the complaint, or by binding the party over to answer the matter thereof at the Sessions, or otherwise, the Recognizance for the appearance of the party before a Justice shall be discharged without fee or reward.

78.
Penalties on Constables for neglect of duty.

And be it Enacted, That if any Constable of any Borough shall be guilty of any neglect of duty, or of any disobedience of any lawful order, every such offender, being convicted thereof before any Two Justices of the Peace, shall for every such offence be liable to be imprisoned for any time not exceeding Ten Days, or to be fined in any sum not exceeding Forty Shillings, or to be dismissed from his office, as such Justices shall in their discretion think meet.

79.
Penalty for assaults on Constables.

And be it Enacted, That if any Person shall assault or resist any Constable of any Borough appointed under this Act in the execution of his duty, or shall aid or incite any Person so to assault or resist, every such offender, being convicted thereof before any Two Justices of the Peace, shall for every such offence be liable to be imprisoned for any time not exceeding Two Months, or to be fined such sum not exceeding Five Pounds as the said Justices shall think meet: Provided always, That nothing herein contained shall prevent any prosecution by way of indictment against any Person so offending, but so as that such Person shall not be prosecuted by indictment, and also proceeded against under this Act for the same offence.

Proviso.

80.
Regulation and Payment of Expenses.

And be it Enacted, That the Treasurer of every Borough shall pay to the Constables of such Borough appointed under this Act such salaries, wages and allowances, and at such periods, as the Watch Committee for such Borough shall, subject to the approbation of the Council, direct; and the Council shall order to be paid also any extraordinary expenses which such Persons shall appear to have necessarily incurred in apprehending offenders and executing the orders of any Justice of the Peace having jurisdiction within such Borough, such expenses having been first examined and approved of by such Justice; and the said Treasurer shall also pay such further sums as the Watch Committee shall, subject to the approbation of the Council, award to any of the Persons belonging to the said Constabulary Force as a reward for extraordinary diligence or exertion, or as a compensation for wounds or severe injuries received in the performance

Rewards for activity, &c.

formance of their duty, or as an allowance to such of them as shall be disabled by bodily injury received, or shall be worn out by length of service, and all other charges and expenses which the Watch Committee shall, subject to the approbation of the Council, direct to be paid for the purposes of the Constabulary Force under this Act.

And be it Enacted, That any Two or more of the Justices of the Peace having jurisdiction within any Borough are hereby authorized and required, in the month of January in every year, to nominate and appoint, by precept in writing under their hands, so many as they shall think fit of the Inhabitants of such Borough (not legally exempt for serving the office of Constable) to act as Special Constables within such Borough, whensoever they shall be required by the warrant of any of the Justices of the Peace having jurisdiction within such Borough so to act, and not otherwise; and every such warrant shall recite that in the opinion of the Justice granting the same, the ordinary Police Force of the Borough is insufficient at that time to maintain the peace of the Borough; and every Person so appointed a Special Constable shall take the Oath set forth in the Act passed in the Session of Parliament holden in the second and third years of the reign of his late Majesty, intituled, "An Act for amending the Laws in Ireland relative to the appointment of Special Constables, and for the better preservation of the Peace," and shall have the powers and immunities and be liable to the duties and penalties enacted by the said last-mentioned Act; and every person so appointed a Special Constable shall receive out of the Borough Fund for every day during which he shall be called out to act as such, the sum of Three Shillings and Sixpence, and no more.

And be it Enacted, That as soon as Constables shall have been appointed by the Watch Committee for any Borough, a Notice, signed by the Mayor of such Borough, specifying the day on which such Constable shall begin to act, shall be fixed on the door of the Town Hall and every place of public worship within such Borough; and on the day so specified in such notice so much of all Acts named in conjunction with such Borough in the Schedule (D.) to this Act annexed, and of all Acts made before the passing of this Act, as relates to the appointment, regulation, powers and duties, or to the assessment or collection of any rate to provide for the expenses of any Watchmen, for any place or places situate within such Borough, shall cease and determine; and all watch-houses and watch-boxes in any such place or places, and all arms, accoutrements and other necessaries provided at the public expense for any Watchmen therein, shall be given up to such Persons as shall be named by the said Mayor in such notice, for the use and accommodation of the Con-

81.

Magistrates to appoint annually a certain number of Persons to act as Special Constables in case of need.

2 & 3 W. 4.
c. 108.

Payment of
Special Con-
stables.

82.

On notice of appointment of Constables, the present provisions in Local Acts, as to watching, &c. to cease.

Watch-boxes, Arms, &c.; to be given up for the use of the Constables appointed under this Act.

Penalty for
not giving
them up.

stables to be appointed under this Act; and all the property so to be given up shall be deemed to belong to the Body Corporate of such Borough; and in case any person having the charge, control or possession of any watch-house, watch-box, arms, accoutrements or necessities as aforesaid, shall neglect or refuse to give up the same 5 as hereinbefore required, every such offender, being convicted thereof before any Two Justices of the Peace, shall for every such offence forfeit and pay, over and above the value of the property not given up, such sum, not exceeding Five Pounds, as the said Justices shall think meet; and where there shall be any building in 10 such place as aforesaid, a part only of which building shall have been heretofore used as a watch-house, such part shall be given up every day from the hour of Four in the afternoon until the hour of Nine in the forenoon, for the use and accommodation of the Constables to be appointed under this Act; and if any Person, having the charge, 15 control or possession of any such building, shall neglect or refuse to give up such part thereof for the purposes aforesaid, or to permit free access thereto or egress therefrom during any portion of the time above prescribed, every such offender, being convicted thereof before any Two Justices of the Peace, shall for every such offence forfeit 20 and pay such sum, not exceeding Five Pounds, as the said Justices shall think meet: Provided however, That nothing herein contained shall be construed to extend to or to affect the power of any Magistrate or Officer of Police appointed or acting under the provisions of an Act passed in the sixth year of the reign of his said late Majesty, 25 intitled, "An Act to consolidate the Laws relating to the Constabulary Force in Ireland."

6 W. 4. c. 13.

83.
Proviso as to
Rates in Ar-
rear and as to
Debts.

Provided always, and be it Enacted, That any Rate or Presentment for defraying the expenses of any Watchmen in any such place or places as aforesaid, made previously to the day specified in such 30 notice as aforesaid, shall be levied and collected in the same manner as if this Act had not been passed: Provided also, That nothing herein contained shall prevent the making, levying and collecting of any Rate or Presentment in any such place or places as aforesaid, for the purpose of paying any debt contracted before the passing of 35 this Act, or the interest of any such debt, but that such Rate or Cess shall and may be levied and collected in the same manner as if this Act had not been passed.

84.
Regulations
to be observe
by Watch
Committee.

And be it Enacted, That the Watch Committee of every such Borough shall on the Tenth day of January, the Tenth day of April, 40 the Tenth day of July, and the Tenth day of October in every year, transmit to the Lord Lieutenant of Ireland a Report of the number of men appointed to act as Watchmen in such Borough, and of the description of arms, accoutrements and clothing and other necessa-
ries

ries furnished to each man, and of the salaries, wages and allowances payable to such Watchmen, and of the number and situation of all station-houses in such Borough, and also a copy of all rules, orders and regulations which shall from time to time be made by
 5 such Watch Committee, or by the Council of such Borough, for the regulation and guidance of such Watchmen.

AND whereas by the said Act passed in the sixth year of the reign of his said late Majesty, intituled, "An Act to consolidate the Laws relating to the Constabulary Force in Ireland," it is among other
 10 things enacted, that it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland to appoint from time to time at his will and pleasure, in and for each Barony, Half of Barony or other division of Barony in each County at large, one Chief Constable, two Head Constables and any number of Constables and
 15 Sub-constables not exceeding Sixteen: AND whereas the Force thereby provided is less than may in some cases be required in Baronies which comprize large Towns: AND whereas it is reasonable that the expense of the additional Force required in such Towns should be borne by such Towns, and not by the Counties at large in which they
 20 are situated; BE it therefore Enacted, That if any Council of any Borough named in the Schedule (A.) to this Act annexed, shall think it necessary that an additional Constabulary Force should be stationed in such Borough above the proportion of the said Force therein stationed under the provisions of the said last-recited Act, it
 25 shall be lawful for the Council of such Borough to present a Memorial to the Lord Lieutenant, setting forth the additional Constabulary Force which is required for the said Borough; and thereupon it shall be lawful for the Lord Lieutenant to add to the Constabulary Force of the County or Counties wherein such Borough
 30 shall be situated, any such number of Constables, Sub-constables and Officers of said Force not exceeding the number required by the said Council in their Memorial, as he shall think fit; and the amount of the Constabulary Force stationed in the said Borough shall be increased accordingly, and such additional Force shall form part of
 35 the general Constabulary Force, and be subject in all respects to the same rules and discipline as the residue of the said Force.

85.
 Provision for
 additional
 Constabulary
 Force.

And be it Enacted, That the expense of the said additional Force shall be advanced and defrayed in like manner as the expenses of the Force appointed by the last-recited Act are to be advanced and defrayed:
 40 Provided however, That no part of the expense of such increased Force shall be borne by the County or Counties at large in which such Borough shall be situated; but the said Borough for whose service the said increase shall be made, shall bear such proportion of such expenses as the Counties at large under the said last-recited Act are

86.
 Payment of
 the additional
 Constabulary
 Force.

bound to contribute towards the expenses of the Constabulary Force appointed for this service; and such expenses shall be paid out of the Borough Fund, and shall be paid by the Treasurer of the Borough to the person authorized to receive the monies which the County at large in which such Borough shall be situated is liable to pay towards the expenses of the said Force; and when any such Borough shall be situated in more than one County, then the Treasurer shall pay the said sums to such of the persons authorized to receive such payments from any of the said Counties as the Inspector-General of the Constabulary Force shall direct: Provided always, That it shall be lawful for the Lord Lieutenant, at any time he shall think fit, to reduce either in the whole or part the said additional Force; and it shall be also lawful for the Council of the said Borough in which such additional Force shall have been stationed, to present from time to time a Memorial to the Lord Lieutenant, stating that they are desirous that the said Force should be reduced in the whole or in part; and thereupon the Lord Lieutenant shall within Twelve calendar Months from the presentation of the said Memorial make the required reduction in the said Force.

87.
Power for
Council to
order parts of
Borough, not
within Local
Acts, as to
lighting, to be
included in
such Act.

AND whereas parts of certain Boroughs are within the provisions of one or more Local Act or Acts for regulating the lighting thereof, and certain other parts of the same Boroughs are not within the provisions of any Local Act for regulating the lighting thereof, and for want of such lighting the efficiency of the Watchmen may be much diminished, and great facilities afforded for the commission of crimes, and for the escape of the offenders; For Remedy thereof, BE it Enacted, That it shall be lawful for the Council of any Borough, in any part of which there is a Local Act for the lighting thereof, to make an order that any part of such Borough, not being within the provisions of any Local Act for the lighting thereof, shall, from and after a certain day to be named in such order, be taken to be within the provisions of such Local Act or Acts for lighting any part of such Borough as the Council shall specify in such order; and after such day the part named in such order shall be within the provisions of the Act or Acts so specified, so far as relates to lighting, or to any rates authorized to be levied for the purpose of lighting, as fully as if such part had been originally named in such Act or Acts, any thing in such Act or Acts to the contrary notwithstanding: Provided always, That every part named in such order shall be lighted in the like manner as those parts which before the making of such order were within the provisions of such Local Act, and that the Rate to be raised for the purpose of defraying the expenses of lighting any part so named in such order, shall not exceed the average expense in the pound of the lighting of the other parts of such Borough.

Proviso as to
amount of
Rate for light-
ing.

And

And be it Enacted; That if the Council of any Borough chosen under this Act shall, by public notice to be affixed on the outer door of the Town Hall, or in some public place within the Borough, declare, that on a certain day, to be named in such notice, not less than

5 Twenty-one Days after the day on which such public notice shall have been given, they will take upon themselves the powers given to the Commissioners under an Act, made in the ninth year of the reign of his Majesty, King GEORGE the Fourth, intituled, "An

10 Act to make Provision for the lighting, cleansing and watching of Cities, Towns Corporate and Market Towns in Ireland, in certain cases," so far as relates to the lighting of any part of such Borough, which is not within the provisions of any Local Act for lighting the same, the Council of such Borough shall, after the day named in such notice, have the same powers and duties as belong to Commis-

15 sioners under the said last-recited Act, in regard to lighting and to levying rates for the purpose of lighting such part of the Borough, except so far as the same are contrary to or inconsistent with the provisions of this Act.

88.
Council may assume the Powers of Commissioners under 9 Geo. 4. c. 82. for paving, lighting or cleansing Streets of any Borough.

And be it Enacted, That the Council of every Borough, except the

20 City of Dublin, shall in every year before the Tenth day of January cause an estimate and valuation to be made of the like property and in the same manner as the Commissioners appointed under the said recited Act of the ninth year of the reign of his Majesty King GEORGE the Fourth were authorized and required to do, which shall

25 have the force and effect for One Year, from the Tenth day of January in every year in which it shall have been made, of any Estimate or Valuation made under the said Act; and in case any Person shall think that such Estimate is erroneous, either as being an excessive Estimate of property belonging to him, or an insufficient Estimate of

30 property belonging to another, it shall be lawful for such Person at any time before the First day of February then next to appeal against such Estimate, and he shall in that case before that day deliver to the Town Clerk of such Borough a Notice signed by him, specifying which of the said objections to such Estimate he complains; and such

35 Appeal shall be heard and determined in every Borough in which there shall be a Recorder under this Act by the Recorder of the Borough at the sitting of his Court held next after the expiration of Ten Days from the said First day of February; and when there shall be no such Recorder, it shall be heard and determined by the Assistant

40 Barrister of the County having jurisdiction to hear and determine suits by Civil Bill for the district in which the property estimated shall be situated, at the Sessions held for such district next after the expiration of the said Ten Days; and such Recorder or Barrister shall have power to award to or against the Person appealing such costs, not exceeding Ten Shillings, as he shall think fit, and to issue a decree

89.
And (except in Dublin) make Estimate and Valuation of Property.

Appeal against such Estimate.

against the party appealing for any costs awarded against him, which shall have the force of a decree in a suit by Civil Bill; and in case he shall award costs to be paid to him, to make an order on the Treasurer of such Borough to pay the sum out of the Borough Rate, which order the said Treasurer shall obey; and the determination of such Recorder or Barrister shall be conclusive: Provided, however, That no such Recorder or Barrister shall entertain such appeal without proof that such notice as aforesaid was given; and provided also, That he shall not have power to inquire into any objection to such Estimate, save the one specified in such notice; and that if such appeal shall not be prosecuted effectually by the Person appealing, the Estimate shall be taken to be conclusive, notwithstanding such notice. 5 10

90.
Council to
have power
to make
Bye-laws.

And be it Enacted, That it shall be lawful for the Council of any Borough to make such Bye-laws as to them shall seem meet for the good rule and government of the Borough, and for prevention and suppression of all nuisances as are not already punishable under any Act already in force throughout such Borough, and to appoint by such Bye-laws such fines as they shall deem necessary for the prevention and suppression of such offences; provided, that no fine so to be appointed shall exceed the sum of Five Pounds, and that no such Bye-law shall be made unless at least Two-thirds of the whole number of the Council shall be present: Provided also, That no such Bye-law shall be of any force until the expiration of Forty Days after the same or a copy thereof shall have been sent, sealed with the seal of the said Borough, to the Lord Lieutenant, and shall have been affixed on the outer door of the Town Hall, or in some other public place within such Borough; and if at any time within the said period of Forty Days the Lord Lieutenant, with the advice of the Privy Council of Ireland, shall disallow the same Bye-law or any part thereof, such Bye-law or the part thereof disallowed shall not come into operation: Provided also, That it shall be lawful for the Lord Lieutenant, at any time within the said period of Forty Days, to enlarge the time within which such Bye-laws, if disallowed, shall not come into force; and no such Bye-law shall, in that case, come into force until after the expiration of such enlarged time. 15 20 25 30 35

91.
CLAUSE (N.)
Bye-laws to
be printed.

And be it Enacted, That the Town Clerk of every Borough shall, under the directions of the Council thereof, cause all the Bye-laws and Regulations in force in such Borough from time to time to be printed in a uniform and convenient form, and shall keep copies thereof publicly affixed in the office of such Town Clerk, and in every public office and court of such Borough, of or belonging to or connected with the Corporation thereof, for the free and open inspection of all Persons, without any fee, at all reasonable hours; 40

hours; and shall deliver a copy of such Bye-laws and Regulations to any Person requiring the same, on payment of such reasonable price for the same as the Council shall from time to time direct; and if any Person shall wilfully and maliciously pull down, destroy
 5 or deface any copy of such Bye-laws and Regulations, which shall be so affixed as aforesaid, such Person shall for every such offence forfeit and pay any sum not exceeding Twenty Shillings: Provided further, That no Bye-law to be made by the Council of the Boroughs of Coleraine and Londonderry respectively shall be sent
 10 to the Lord Lieutenant until the same shall have been approved of by the Honourable Society of the Governor and Assistants of London of the new Plantation in Ulster, within the realm of Ireland.

And be it Enacted, That all the provisions hereinafter contained relative to offences against this Act, punishable upon summary con-
 15 viction, shall be taken to apply to all offences committed in breach of any Bye-law or Regulation made by virtue of this Act.

92.
As to breaches
of Bye-laws.

And be it Enacted, That after the election of the Treasurer in any Borough, the rents, issues and profits of all hereditaments, estates and tenements, and the interest, dividends and annual proceeds of all
 20 monies, dues, chattels and valuable securities, except those held upon charitable trusts as aforesaid, belonging or payable to any Body Corporate named in conjunction with the said Borough in the said Schedules (A.) and (B.), or to any Member or Officer thereof in his corporate capacity, and every fine or penalty for any offence
 25 against this Act (the application of which has not been herein provided for) shall be paid to the Treasurer of such Borough; and all the monies which he shall so receive shall be carried by him to the account of a fund to be called "The Borough Fund."

93.
All Corporate
Property,
and all Fines,
to be received
on account of
the Borough
Fund.

And be it Enacted, That the Treasurer of any Borough shall
 30 pay no Money on account of the Mayor, Aldermen and Burgesses of such Borough, save only in such case as is provided by this Act, or upon the order in writing of the Council, signed by Three or more Members of the Council, and countersigned by the Town Clerk of such Borough, or for the payment of the Salaries granted to
 35 any Recorder or Police Magistrate as hereinafter provided, or by order of the Court of Sessions of the Peace for the Borough, or of a Justice of the Peace acting in and for the Borough in the discharge of his judicial duty, in such case as is provided by this Act, or in such case as a Court of Sessions of the Peace for any County, or a
 40 Justice of the Peace acting in and for a County in the discharge of his judicial duty, may make an Order for the payment of Money on the Treasurer of such County.

94.
Treasurer to
pay no money
but by Order
of Council.

95.
Salaries of
Recorder,
Town Clerk,
Treasurer and
other Officers,
and Election
Expenses, to
be paid out of
such Fund.

And be it Enacted, That the Borough Fund, subject to the payment of any lawful debt due from such Body Corporate to any Person, which shall have been contracted before the passing of this Act, and unredeemed, or of so much thereof as the Council of such Borough from time to time shall be required, or shall deem it expedient to redeem, and to the payment from time to time of the interest of so much thereof as shall remain unredeemed, and saving all rights, interests, claims or demands of all Persons or Bodies Corporate in or upon the real or personal estate of any Body Corporate by virtue of any proceedings either at law or in equity, which have been already instituted, or which may be hereafter instituted, or by virtue of any mortgage or otherwise, shall be applied towards the following purposes; that is to say, the payment of the salary of the Mayor and of the Recorder, and of the Police Magistrate, hereinafter mentioned, when there is a Recorder or Police Magistrate, and of the respective salaries of the Town Clerk and Treasurer, and of every other Officer whom the Council shall appoint, and also toward the payment of the expenses incurred from time to time in preparing and printing Burgess Rolls and Ward Lists and Notices, and in other matters attending such elections as are herein mentioned, and in Boroughs which shall have a separate Court of Sessions of the Peace, as is hereinafter provided, towards the expenses of the prosecution, maintenance and punishment of offenders committed from the Borough for trial at the Sessions of the Peace for such Borough, and towards the expense of providing and maintaining the corporate buildings, and in all Boroughs, save the City of Dublin, towards the paving, cleansing and lighting the streets of said Borough, and towards supplying the inhabitants with water, the payment of the watchmen, maintaining the peace and good order, and of all other municipal expenses which shall be necessarily incurred in carrying into effect the provisions of this Act; and in case the Borough Fund shall be more than sufficient for the purposes aforesaid, the surplus thereof shall be applied, under the direction of the Council, for the public benefit of the inhabitants and improvement of the Borough.

96.
Tolls or Dues
payable before
the passing of
this Act not to
be altered or
reduced until
payment of
the Debt
chargeable
thereon.

Provided always, and be it Enacted, That it shall not be lawful for the Council to be elected under the provisions of this Act in any Borough in which the Body Corporate, named in conjunction with the said Borough in the said Schedules (A.) and (B.), before the time of the passing of this Act, shall have contracted any lawful debt, chargeable on any tolls or dues belonging or payable to the said Body Corporate, or to any Member or Officer thereof, in his corporate capacity, or towards the satisfaction whereof such tolls or dues, or any part thereof, were applicable before the passing of this Act, to alter or reduce the amount to be levied and payable of such tolls or dues, or to grant for any consideration any remission of or exemption

5 exemption from such tolls or dues, or any part thereof, unless with the consent in writing, under the hands of a majority in number and amount of the creditors to whom such debt is due, until after such debt and all arrears of interest due thereon shall have been fully paid and satisfied.

10 And be it Enacted, That, in case after payment of all debts due from such Body Corporate, and contracted before the passing of this Act, and after satisfaction of all lawful claims upon the real and personal estate of such Body Corporate, the Borough Fund shall not be
 15 sufficient for the purposes aforesaid, or in case there shall be no Borough Fund, the Council of the Borough is hereby authorized and required from time to time to estimate, as correctly as may be, what amount, in addition to such fund, or when there shall be no such fund, will be sufficient for the payment of the expenses to be incurred in
 20 carrying into effect the provisions of this Act; and in order to raise the amount so estimated, the said Council is hereby authorized and required from time to time to order a Borough Rate to be made within their Borough, and for that purpose the Council of such Borough shall have within their Borough all the powers and authorities which any Commis-
 25 sioners in any Borough in Ireland have within the limits of their commission, by virtue of the said last-recited Act of the ninth year of the reign of his Majesty King GEORGE the Fourth, and shall observe and preserve the provisions thereof as if the same were herein recited, or as near thereto as the nature of the case will admit, except as is hereinafter excepted; and all such sums levied in pursuance of such Borough Rate shall be paid over to the account of the Borough Fund.

97.

Council
authorized to
raise Funds for
payment of
Expenses
incurred in
carrying this
Act into
execution.

30 Provided always, and be it Enacted, That in every case in which before the passing of this Act any Rate might be levied in any Borough, save the City of Dublin, for the purpose of watching solely
 35 by day or by night, or for the purpose of watching by day or by night conjointly with any other purpose, it shall be lawful for the Council of such Borough to levy a Watch Rate, not greater than the average yearly rate which, during the last Seven Years, or where such Rate shall not have been levied during Seven Years,
 40 then during such less number of years as such Rate shall have been levied, shall have been levied for the maintenance and establishment of Watchmen within the district in which such Rate was levied, and for that purpose the Council shall have all the powers hereinbefore given to the Council in the matter of the Borough Rate, and all such powers as were at the time of the passing of this Act vested in any
 Person or Persons for imposing or levying any such Rate; and where any part of any Borough shall not at the time of the passing of this Act be within the provisions of the Act authorizing the levy of such Rate for watching as aforesaid, it shall be lawful for the Council from time to

98.

Council
authorized to
levy a Watch
Rate.

time to order that such part, or so much thereof as to the Council shall seem fit, shall be rated to the Watch Rate in like manner as other parts of the Borough to be specified in such order; and such Watch Rate thereupon shall be levied within the part mentioned in such order, in like manner as in the other parts of the Borough so specified; and all such sums levied in pursuance of such Watch Rate shall be paid over to the account of the Borough Fund: Provided always, That no such order as last aforesaid shall be made for rating to such Watch Rate any part of any Borough in which at the time of passing this Act such Rate as aforesaid shall not be levied, and which is more than Two hundred Yards distant from any street or continuous line of houses which shall be regularly watched within the Borough under the provisions of this Act.

99.
Act not to
render Corpo-
rate Property
liable for
Debts not
chargeable
thereon, nor
to authorize
the levy of
new Rates for
payment of
Debts.

And be it Enacted, That nothing in this Act contained shall be construed to render liable to the payment of any debt contracted before the passing of this Act by any Body Corporate any part of the real or personal estate of the said Body Corporate which before the passing of this Act was not liable thereto, or to authorize the levy of any Rate within any part of any Borough for the purpose of paying any debt contracted before the passing of this Act, which before the passing of this Act could not lawfully be levied therein towards the payment of the same.

100.
Accounts of
Receipts and
Disburse-
ments to be
kept, audited
and published.

And be it Enacted, That the Treasurer of every Borough shall, in Books to be kept for that purpose, enter true accounts of all sums of money by him received and paid on account of the purposes of this Act, and of the several matters for which such sums shall have been paid; and the books containing such Accounts shall at all reasonable times be open to the inspection of the Mayor or any of the Aldermen or Councillors of such Borough; and all the Accounts, with all vouchers and papers relating thereto, shall in the Months of March and September in every year, be submitted by the Treasurer of the Borough to the Auditors hereinbefore provided to be elected, and to such Member of the Council as the Mayor shall name as a third Auditor on the First day of March in every year, or in case of extraordinary vacancy within Ten Days next after such vacancy, for the purpose of being examined and audited, from the First day of September in the year preceding to the First day of March, and from the First day of March to the First day of September in the year in which the said Auditors were elected and named; and if the said Accounts shall be found to be correct, the Auditors shall sign the same; and after such Accounts shall have been so respectively examined and audited in the Month of September in every year, each Treasurer shall make out in writing, and shall cause to be printed, a full Abstract of his Accounts for the year, and a copy thereof

thereof shall be open to the inspection of all the Rate-payers of such Borough, and copies thereof shall be delivered to all Rate-payers of such Borough applying for the same on payment of One Shilling for each copy.

5 AND whereas many of the said Municipal Corporations in Ireland have been and now are seised and possessed of or entitled to divers lands, tenements and hereditaments, and the same have been granted to them and ought to be vested in them for the public benefit of the said Boroughs respectively; and it is expedient to
 10 make further provision than now by law exists for preventing or remedying the waste and misapplication of such property, and of all other property which may hereafter be so granted to or acquired by Municipal Corporations for Municipal purposes; BE it Enacted, That in case of waste or misapplication of any such property, or of
 15 any breach of trust in respect thereof, or wherever the direction, decree or order of a Court of Equity shall be deemed necessary for the due administration and application of any such property, it shall be lawful for Her Majesty's Attorney General for Ireland, or for any Two or more Burgesses of such Borough, to present a Petition to
 20 the Court of Chancery or to the Court of Exchequer in Ireland, stating such complaint, and praying such relief as the nature of the case may require; and it shall be lawful for the Lord Chancellor, Lord Keeper or Lords Commissioners of the Great Seal, or the Master of the Rolls, for the time being, and for the Court of Ex-
 25 chequer, and they are hereby required, to hear such Petition in a summary way, and to direct all such Persons as they shall consider necessary to answer to same, and if necessary to issue a Commission for the examination of Witnesses, and on their depositions, or upon affidavits, or such other evidence as shall be produced upon
 30 such hearing, to determine the same, and to give such relief and make such order therein, and with respect to the costs of such application, and to enforce the same by Injunction or otherwise, as to him or them shall seem just; and such Order shall be final and conclusive, unless the Party or Parties who shall think himself or
 35 themselves aggrieved thereby shall, within Two Years from the time when such Order shall have been passed and entered by the proper Officer, have preferred an Appeal from such decision to the House of Lords, to whom it is hereby Declared and Enacted that an Appeal shall lie from such Order.

101.
Property,
remedy for
misappli-
cation of.

40 And be it Enacted, That neither the Petitions nor any proceedings upon the same or relative thereto, nor the copies of any such Petitions or proceedings, shall be subject or liable to the payment of any Stamp Duty, charge for Chancery or other Court Fund, or other public charge whatever, save only the actual expense of

102.
Proceedings
not liable to
Stamp Duty.



making a copy when any copy shall be required from any of such Courts.

103.
Power of
Sale and
Leasing
restrained.

And be it Enacted, That it shall not be lawful for the Council of any Body Corporate to be elected under this Act, to sell, mortgage or alienate the lands, tenements and hereditaments of the said Body Corporate, or any part thereof, except in pursuance of some covenant or contract or agreement bonâ fide made or entered into on or before the Fifth day of June in the year One thousand eight hundred and Thirty-five, by or on behalf of the Body Corporate of any Borough, or of some resolution duly entered in the corporation books of such Body Corporate on or before the said Fifth day of June, or to demise or lease, except in pursuance of some covenant, contract or agreement bonâ fide made or entered into on or before the said Fifth day of June, by or on behalf of such Body Corporate, or in pursuance of some resolution duly entered in the Corporation books of such Body Corporate, on or before the said Fifth day of June, except in the cases hereinafter mentioned, any lands, tenements or hereditaments of such Body Corporate or any part thereof, or to enter into any new contract or agreement, except in the cases hereinafter mentioned, for demising or leasing the said lands, tenements and hereditaments, or any part thereof, for any term exceeding Thirty-one Years from the time when such lease shall be made, or if made in pursuance of a previous agreement, then from the time when such agreement shall have been entered into; and in every lease which the said Council is not hereby restrained from making, there shall be reserved and made payable, except in the cases hereinafter mentioned, during the whole of the term thereby granted, such clear yearly rent as to the Council shall appear reasonable, without taking any fine for the same.

104.
Provision in
certain cases
of Leasing.

Provided always, and be it Enacted, That in all cases in which any Body Corporate shall, on the Fifth day of June in the year One thousand eight hundred and Thirty-five, have been bound or engaged by any covenant or agreement, express or implied, or have been enjoined by any deed, will or other document, or have been sanctioned or warranted by ancient usage, or by custom or practice, to make any renewal of any lease for years or for life or lives, or for years determinable with any life or lives, at any fixed or determinate or known or accustomed period, or after the lapse of any number of years, or on the dropping of any life or lives at a fine certain, or under any special or specific terms or conditions, and also in all cases in which any Body Corporate shall theretofore have ordinarily made renewal of any lease for years or for life or lives, or for years determinable with any life or lives at any fixed or determinate or known or accustomed period, or after the lapse of any

any number of years, or upon the dropping of any life or lives, upon the payment of an arbitrary fine, it shall be lawful for the Council of such Borough to renew such lease for such term or number of years, either absolutely or determinable with any life or lives, or for
 5 such life or lives, and at such rent, and upon the payment of such fine or premium, either certain or arbitrary, and with or without any covenant for the future renewal thereof, as such Body Corporate could or might have done in case this Act had not been passed: Provided nevertheless, That in every case in which such Council
 10 shall deem it expedient to sell and alienate, or to demise and lease for a longer term than Thirty-one Years, or upon different terms and conditions than those hereinbefore mentioned, any of the said lands, tenements or hereditaments, it shall be lawful for such Council to represent the circumstances of the case to the Commissioners
 15 of Her Majesty's Treasury, and it shall be lawful for such Council, with the approbation of the said Commissioners, or any Three of them, to sell, alienate and demise any of the lands, tenements and hereditaments of the said Body Corporate, in such manner and on such terms and conditions as shall have been approved by the said
 20 Commissioners: Provided always, That notice of the intention of the Council to make such application as aforesaid shall be fixed on the outer door of the Town Hall, or in some public or conspicuous place within the Borough, One calendar Month at least before such application; and a copy of the Memorial intended to be sent
 25 to the said Commissioners shall be kept in the Town Clerk's office during such calendar Month, and shall be freely open to the inspection of every Burgess at all reasonable hours during the same.

Provided nevertheless, and be it Enacted, That in any of the instances hereinafter mentioned it shall be lawful for the Council
 30 from time to time to demise and lease, or to enter into any contract or agreement for demising and leasing, either at a reserved rent or fine, or both, as the Council shall think fit, any of the said lands, tenements or hereditaments to any Person, Body Politic, Corporate or Collegiate, for any term not exceeding Seventy-five Years from the
 35 time of making such lease or agreement; (that is to say) of tenements or hereditaments, the greater part of the yearly value of which shall at the time of making the lease or agreement consist of any building or buildings of land or ground proper for the erection of any houses or other buildings thereupon, with or without
 40 gardens, yards, curtilages or other appurtenances to be used therewith; and where the Lessee or intended Lessee shall covenant or agree to erect a building or buildings thereon of greater yearly value than such land or ground, or land or ground proper for gardens, yards, curtilages or other appurtenances, to be used with any other house or other building erected or to be erected on any such

ground, belonging either to such Body Corporate or to any other proprietor, or proper for any other purpose calculated to afford convenience or accommodation to the occupiers of any such house or building.

106.
Collusive Purchases, Sales, and Demises of Corporate Property since the 5th June 1835 for undue consideration, may be set aside.

And be it Enacted, That it shall be lawful for the Council first 5
to be elected in any Borough under the provisions of this Act to call
in question all purchases, sales, leases and demises not made in pur-
suance of some such bonâ fide covenant, contract, agreement or
resolution made and entered into as aforesaid before the said Fifth
day of June, and all contracts for the purchase, sale, lease or demise 10
of any lands, tenements and hereditaments, and all divisions and
appropriations of the monies, goods and valuable securities, or any part
of the real or personal estate, of which on or before the said Fifth
day of June the Body Corporate, of which they are the Council,
whether in their own right or as Trustees for charitable or other 15
purposes, was seised or possessed, which shall have been made
or contracted between the said Fifth day of June and the day of the
declaration of their election; and for that purpose, if it shall appear
to the said Council that there is ground for believing that any such
purchase, sale, lease or demise, or such contract, or such division or 20
appropriation of the premises, was collusively made for no consi-
deration, or for an inadequate consideration, it shall be lawful for the
Council of such Borough, at any time within Six calendar Months
next after the first election of Councillors under this Act shall have
been declared in such Borough, upon notice of their intention being 25
first given in the Dublin Gazette, and also affixed on the outer door
of the Town Hall or in some public place within the Borough, to
cause the value of the lands, tenements, hereditaments and premises
in question to be inquired of and found by a Jury of Twelve indif-
ferent men of the County in which, or adjoining to which in the 30
case of all Counties of Cities and Towns Corporate, such lands,
tenements, hereditaments or premises do lie; and in order thereto
the said Council is empowered to summon and call before such Jury
all Persons having the custody and possession of any Deed or Agree-
ment concerning the said lands, tenements, hereditaments and pre- 35
mises made or entered into since the said Fifth day of June, and to
cause all such Deeds and Agreements to be produced before the said
Jury and examined by them, and to examine upon oath every Per-
son who shall be thought necessary to be examined (which oath the
Mayor is hereby empowered to administer); and the Council shall, 40
by ordering a view or otherwise, use all lawful means for the infor-
mation as well of themselves as of the said Jury in the premises;
and the Jury shall find the value of the said lands, tenements, here-
ditaments and premises, and the consideration which shall have been
given, and also that which ought of right to have been given, for the
purchase,

purchase, sale, lease, demise or appropriation thereof, according to
 the terms of such purchase, sale, lease, demise, contract or appro-
 priation, and taking into account all the circumstances under which
 the same shall have taken place; and if the Jury by their oaths shall
 5 find that no consideration, or a consideration less than that which
 they shall have so found to be the value which ought therefor to have
 been given, shall have been collusively given or contracted to be given
 by the terms of any such purchase, sale, lease, demise, contract or ap-
 propriation, the party to such purchase, sale, lease, demise, contract
 10 or appropriation shall have his option either to re-convey and restore
 the lands, tenements, hereditaments and premises in question, and
 to abandon the contract to which he shall have been party, upon
 receipt in each case of the consideration, if any, which he shall have
 given for the same, or to give therefor in each case such additional
 15 consideration, so that the whole consideration given shall be that
 which ought of right to have been given so found by the Jury as
 aforesaid; and in every such case as last aforesaid the additional
 consideration given or to be given shall be indorsed on the original
 deed or conveyance; and unless he shall so do within One calendar
 20 Month next after the finding of the Jury, every such purchase, sale,
 lease, demise, contract and conveyance shall be absolutely void and
 of none effect as against the said Body Corporate and their suc-
 cessors; and in every case in which any such contract shall have been
 abandoned as aforesaid, or in which any such purchase, sale, lease,
 25 demise, contract or conveyance shall become void and of none effect,
 under the provisions of this Act, the party who would otherwise have
 had the benefit of the same shall be remitted to his former estate, title
 and interest (if any) in the premises, as if no such contract, purchase,
 sale, lease or demise had been made or entered into; and for summon-
 30 ing and returning such Juries, and for imposing fines on the Sheriff, his
 deputy, bailiff or agent, and on the Persons summoned and returned
 on the said jury, and on any Person required to give evidence who
 shall in this behalf contravene the provisions of this Act, the Coun-
 cil of every such Borough shall have all the powers which the supe-
 35 rior Courts of Record in Dublin have; and all the costs of the said
 Jury, and of all witnesses tendered by the said Council to be ex-
 amined before the said Jury, shall in every case be borne by the
 Council, and paid out of the Borough Fund: Provided never-
 theless, That it shall be lawful for the Lord Lieutenant or other
 40 Chief Governor or Governors of Ireland for the time being, if he or
 they shall think fit, by the advice of the Privy Council, upon
 petition to him or them, setting forth the special circumstances
 under which any purchase, sale, lease, demise, contract or appro-
 priation of any of the said lands, tenements, hereditaments and
 premises shall have been made since the Fifth day of June, to
 order that the same shall not be called in question under the

provisions of this Act; and in such case as last aforesaid the same shall not be called in question or set aside or affected under the provisions of this Act: Provided also, That in every case in which such petition shall have been presented, it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland for the time being, if he or they shall think fit, to enlarge the time within which (in case he or they shall not think fit to make such order as aforesaid) the Council may have power as aforesaid to call in question any purchase, sale, lease, demise, contract or appropriation referred to in such petition: Provided also, That nothing herein contained shall be construed to give or shall give any effect or validity to any sale, demise or other disposition of or any agreement relating to any lands, tenements, hereditaments or other property which at any time belonged to any Corporate Body, but that the validity of such agreement, sale, demise or other disposition shall be liable to be questioned in any Courts of Law or Equity by the Council of the Borough, or any Burgess or Freeman, or other Person, as fully as if this Act had not been passed.

107.
Sale of Advowsons, &c.

And be it Enacted, That in every case in which a Body Corporate, or any particular class, number or description of Members, or the Governing Body of any Body Corporate now is or are in their corporate capacity, and not as Charitable Trustees, according to the meaning and provisions of this Act, seised or possessed of any manors, lands, tenements or hereditaments, whereunto any advowson or right of nomination or presentation to any Benefice, or Ecclesiastical Preferment is appendant or appurtenant, or of any advowson in gross, or hath or have any right or title to nominate or present to any Benefice or Ecclesiastical Preferment, every such advowson, and every such right of nomination and presentation shall be sold at such time and in such manner as the Ecclesiastical Commissioners for Ireland may direct, so that the best price may be obtained for the same; and it shall be lawful for the Council of such Body Corporate, and they are hereby authorized and required, with the consent of the said Commissioners, or any Three or more of them, in writing under their hands, to convey and assure under the common seal of such Body Corporate such advowson, or such right of nomination or presentation as aforesaid, to the Purchaser or Purchasers thereof respectively, his or their heirs, executors, administrators and assigns, or to such uses as he or they shall direct; and the proceeds of every such sale shall be paid to the Treasurer of the Borough, whose receipt shall be a sufficient and effectual discharge to the Purchaser or Purchasers to whom the same shall be given, for the amount of his or their purchase money; and it shall be lawful for the Council of such Borough to direct that such

such purchase money or any part thereof shall be applied towards the liquidation of any debt contracted before the passing of this Act by the Body Corporate now seised of or entitled to the property so sold; and if it shall not be so applied, it shall be invested in Government securities, for the use of the Body Corporate, and the annual interest payable thereon shall be carried to the account of the Borough Fund: Provided always, That in any case of vacancy arising before any such sale shall have taken place and been completed, such vacancy shall be supplied by the presentation or nomination of the Bishop or Ordinary of the Diocese in which such Benefice or Ecclesiastical Preferment is situated.

And be it Enacted, That the Council of every such Borough in which this Act shall be in operation, shall, before the First day of March in each year, transmit to the Lord Lieutenant or Chief Governor (for the time being) of Ireland, a Statement of all Monies received and expended on account of such Corporation within the year preceding, which Statement shall be prepared in such form and manner as the Lord Lieutenant shall direct, and such Accounts shall refer and be made up to the audit next before the First of January of the year in which such Account is hereby required to be so transmitted; and an Abstract of such Statements and Accounts, under general heads, shall be laid before both Houses of Parliament, during their sitting, in the same year in which they are hereby required to be transmitted as aforesaid:

108.
Councils to transmit yearly Accounts of Income and Expenditure to Lord Lieutenant, and an Abstract thereof to be laid before Parliament

And be it Enacted, That in the Counties of the Cities of Cork, Dublin, Kilkenny, Limerick, and Waterford, and in the Counties of the Towns of Carrickfergus, Drogheda and Galway, before the Twenty-ninth day of September in the year following the year in which this Act shall come into operation in each of the said Cities and Towns respectively, and every succeeding year, the Council shall name Three fit Persons to the Lord Lieutenant, and the Lord Lieutenant, if he think fit, may appoint one of the Three Persons so named to execute the office of Sheriff, or instead of appointing any one of the Three Persons so first named, the Lord Lieutenant, if he think fit, may require the Council to name to him Three other Persons, and may, if he think proper, appoint one of the Three Persons so last named to him, to execute the office of Sheriff, or in case the Council shall neglect or refuse to make either nomination as aforesaid, or in case the Lord Lieutenant shall disapprove of all the Six Persons so named to him, it shall be lawful for the Lord Lieutenant to appoint a fit Person to execute the office of Sheriff; and every Person so appointed shall have the like duties and powers as the Sheriffs or the Persons filling the office of Sheriff in the said Cities, Towns and Counties respectively would have had if this Act had not passed,

109.
In Cities and Towns which are Counties, Sheriff to be appointed.

and shall continue in his office for One whole Year from the Twenty-ninth day of September, unless removed by the Lord Lieutenant; and in case a vacancy shall be occasioned in the office of Sheriff of such Borough during such period, by the death of the Person who shall have been appointed to such office, or his removal, another fit Person shall be appointed in like manner to be the Sheriff instead of the Person so dying or removed, who shall hold such office for the period during which the Person so dying or unless removed as aforesaid would have held it, and so from time to time as occasion may require; and every Person who, at the time when this Act shall come into operation in any of the said Cities or Towns, shall hold the office or execute the duties of Sheriff in the said Counties of Cities and Towns respectively, shall continue to hold and execute the same until the first appointment of a Sheriff therein under the provisions of this Act, and no longer.

110.

City and
County of
Londonderry
to be a
County, the
Sheriff of
which to be
nominated
by the Crown.

And be it Enacted, That, after the passing of this Act, a Sheriff of the County named the City and County of Londonderry shall be nominated and appointed by Her Majesty, Her Heirs and Successors, in the same manner to all intents and purposes as the Sheriff of any other County at large in Ireland is now nominated and appointed; and until the Sheriff first to be nominated and appointed for the said County of Londonderry under the Provisions of this Act shall enter upon his office, the Persons who at present fill the office of Sheriffs of the said City and County of Londonderry, or the survivor of them, shall be and remain the Sheriffs or Sheriff of the County of Londonderry, and shall fulfil and execute the duties of the said office.

111.

In certain
Boroughs,
Council to
appoint a
Coroner.

And be it Enacted, That the Council of every Borough in which a separate Court of Quarter Sessions of the Peace shall be holden, as is hereinafter provided, shall, within Ten Days next after the grant of the said Court shall have been signified to the Council of such Borough, appoint a fit Person, not being an Alderman or Councillor, to be Coroner of such Borough so long as he shall well behave himself in his office of Coroner, and shall fill up every vacancy in the office of Coroner of the Borough occurring by death, resignation or removal, within Ten Days next after such vacancy, and none thereafter shall take any inquisition which belongs to the office of Coroner within such Borough save only the Coroner so from time to time to be appointed; and in such of the said Boroughs as are not Counties of Cities or Counties of Towns, every such Coroner, for every inquisition which he shall duly take within such Borough, shall be entitled to have the sum of Twenty Shillings, and also the sum of Nine-pence for every mile exceeding Two Miles which he shall be compelled to travel from his usual place of abode to take such inquisition

sition, to be paid by the Treasurer out of the Borough Fund of such Borough by order of the Court of Quarter Sessions for such Borough : Provided always, That no Person shall be elected as Coroner as aforesaid who shall not be seised or possessed of such an estate in some part of Ireland as would qualify him to serve as a Coroner for a County according to the Acts now in force in Ireland in relation to the office of Coroner ; and every such Person shall, before he acts as such Coroner, take and subscribe all oaths now required to be taken by a Coroner in Ireland, and shall be liable to be removed by the Court of Chancery in Ireland in the same manner as any Coroner in Ireland may now be removed by that Court.

And be it Enacted, That on or before the Tenth day of January in every year after the passing of this Act, every Coroner appointed in any Borough shall make and transmit to the Lord Lieutenant of Ireland a Return in writing, according to such form as the said Lord Lieutenant from time to time shall direct, of all the cases in which he may have been called upon to hold an inquest touching the cause of death of any Person during the year ending on the Thirty-first day of December immediately preceding, and a copy of the finding of the Jury on every such inquest.

112.
Coroners to
make Returns
to Lord
Lieutenant.

And be it Enacted, That in every Borough in, and for which no separate Court of Sessions of the Peace shall be holden, no Person, after the First day of December next after the first election of Councillors under this Act in that Borough, shall take any inquisition which belongs to the office of Coroner within such Borough, save only the Coroner for the County at large in which such Borough is situated ; and in every Borough in which a Coroner shall not be elected, and acting under this Act, the Coroner for the County in which such Borough is situated, and in case of a county of a City or Town the Coroner of the adjoining County or any of them, shall take any inquisition which could be taken by a Coroner elected under this Act, and have all the powers and authorities of such Coroner ; and such Coroners of Counties at large, and the Coroners of each County of a City and County of a Town shall be entitled to be paid for the inquisitions which they shall duly take as aforesaid, in manner now provided for by law, and not otherwise.

113.
County
Coroners to
act in other
Boroughs.

And be it Enacted, That it shall be lawful for Her Majesty from time to time to assign to so many Persons as She shall think proper, Her Majesty's Commission to act as Justices of the Peace in and for each Borough, and in and for each of the Counties of Cities and Towns respectively named in the said Schedule (A.) to which

114.
Commission
of Justices
of Peace to be
issued for
certain
Boroughs.

Her Majesty may be pleased to grant a Commission of the Peace :
 Provided nevertheless, That every Person so to be assigned shall
 reside within the Borough for which he shall be so assigned, or
 within Seven Miles of such Borough, or of some part thereof,
 during such time as he shall act as a Justice of the Peace in and for 5
 such Borough.

115.

Councils may
 make Bye-
 laws on which
 the Crown
 may appoint
 salaried Jus-
 tices.

And be it Enacted, That if the Council of any Borough shall
 think it requisite that a salaried Police Magistrate or Magistrates be
 appointed within such Borough, such Council is hereby empowered
 to make a Bye-law, fixing the amount of the salary which he or 10
 they are to receive in that behalf; and such Bye-law so made by any
 Council as aforesaid shall be transmitted to the Lord Lieutenant of
 Ireland, and the Lord Lieutenant thereupon shall be authorized to
 appoint so many fit persons as are specified in the said Bye-law (being
 Barristers-at-Law of not less than Six Years' standing), to be, during 15
 Her Majesty's pleasure, Police Magistrate or Magistrates, and a
 Justice or Justices of the Peace for such Borough, and to direct that
 such sum shall be paid quarterly out of the Borough Fund of such
 Borough as will be sufficient to pay such yearly salary to each of the
 Justices so assigned as last aforesaid, not exceeding in the whole 20
 the salary mentioned in the prayer of such Petition, clear of all fees
 or deductions, as to the Lord Lieutenant shall seem fit; and the
 Treasurer of such Borough shall thereupon pay to each Justice so
 assigned as last aforesaid, out of the Borough Fund of such Borough,
 the salary so directed to be paid by Four equal quarterly payments, 25
 and in the same proportion up to the time of the death of such
 Justice, or his ceasing to act under such assignment as aforesaid;
 provided that in every case of vacancy of the office of Police Ma-
 gistrate in any Borough aforesaid, no new appointment of Police
 Magistrate in such Borough shall be made until the Council shall 30
 again make application to the Lord Lieutenant in that behalf,
 and as in the case of the first appointment of a Police Magistrate in
 such Borough.

116.

Council to
 provide a
 Police Office.

And be it Enacted, That the Council of every Borough to which
 a separate Commission of the Peace shall be granted under the pro- 35
 visions of this Act shall be authorized and required to provide and
 furnish one or more fit and suitable office or offices, to be called
 " The Police Office " or Offices of the Borough, for the purpose of
 transacting the business of the Justices of the Borough, and to pay
 from time to time, out of the Borough Fund, such sums as may be 40
 necessary for providing, upholding and furnishing, and for the
 necessary expenses of such Police Office or Offices; and the
 Council of every such Borough shall, in case the Borough Fund shall
 not

not be sufficient, or in case there shall be no Borough Fund, have the power of including in and paying out of the Borough Rate of such Borough such sum as shall be required for providing, upholding and furnishing, and for the necessary expenses of such Police Office or Offices; and no room in any house licensed as a Victualling-house or Alehouse shall be used for the purpose of any such Police Office.

And be it Enacted, That every Person assigned to keep the peace within any Borough under the provisions of this Act, or any of them, shall, during the continuance of such assignment, execute the duties of a Justice of the Peace in and for the Borough for which he shall have been so assigned, although such Person may not be a Burgess of the Borough in and for which he shall have been assigned to act as a Justice of the Peace; and although he may not have such qualification by estate as is required by law in the case of other Persons being Justices of the Peace for a County; so nevertheless that such Person be not disqualified by law to act as a Justice of the Peace for any other cause, or upon any other account than in respect of estate: Provided nevertheless, That no such person by any such assignment shall act as a Justice of Peace at any Court of Gaol Delivery, or General or Quarter Sessions, or in making or levying any County Rate, or rate in the nature of a County Rate.

117.
Justices
need not be
qualified by
Estate.

And be it Enacted, That every summons for the appearance of any Person, or warrant to compel such appearance, or warrant for the apprehension of any Person charged with any offence, or search-warrant issued by any Justice of the Peace acting in and for any Borough in any matter within his jurisdiction, may be respectively served and executed within any county in which the said Borough shall be situated, or within any distance not exceeding Seven Miles from such Borough, and within such limits as aforesaid, shall have the same force and effect as if the same had been originally issued or subsequently indorsed by a Justice of the Peace having jurisdiction in the place where the same shall be served or executed, any law, statute, charter or usage to the contrary notwithstanding; and every such summons and warrant shall and may be lawfully served or executed within such limits as aforesaid by the Constable to whom the same shall be directed, or by any Constable or other Peace Officer of the County, Borough, Parish or Place in which the Person named in such summons or warrant may be.

118.
CLAUSE (O.)
How far
Summonses
and Warrants
may be en-
forced.

And be it Enacted, That it shall be lawful for the Justices of every Borough to which a separate Commission of the Peace shall be granted as aforesaid, at their first or any other Meeting, and they

119.
Justices to
appoint a
Clerk, who
shall not be
the Town
Clerk or of

the Council,
nor be con-
cerned in the
Prosecution
of Offenders
committed by
the Borough
Justices.

are hereby respectively required, to appoint a fit Person to be the Clerk to the Justices of such Borough, to be removable at their pleasure, and so as often as there shall be a vacancy in the said office of Clerk to the Justices by death, resignation, removal or otherwise; provided that it shall not be lawful for the said Justices 5
to appoint or continue as such Clerk to the Justices any Alderman or Councillor of such Borough, or Clerk of the Peace of such Borough, or the Partner of such Clerk of the Peace, or any Clerk or Person in the employ of such Clerk of the Peace: Provided also, That it shall not be lawful for the said Clerk to the Justices, by him- 10
self or his Partner, to be directly or indirectly interested or employed in the prosecution of any Offender committed for trial by the Justices of whom he shall be such Clerk as aforesaid, or any of them, at any Court of Gaol Delivery or General or Quarter Sessions; and any Person being an Alderman or Councillor, or Clerk of the Peace 15
of any Borough, or the Partner or Clerk, or in the employ of such Clerk of the Peace, who shall act as Clerk to the Justices of such Borough, or shall otherwise offend in the premises, shall for every such offence forfeit and pay the sum of One hundred Pounds, one moiety thereof to the Treasurer of such Borough, to be paid 20
over to the credit and account of the Borough Fund of such Borough, and the other moiety thereof, with full costs of suit, to any Person who will sue for the same in any of Her Majesty's Courts of Record at Dublin.

120.
Recorder to
be appointed
by Her Ma-
jesty in certain
Boroughs.

And be it Enacted, That the Council of every Borough, except the 25
City of Dublin, which shall be desirous that a separate Court of Quarter Sessions of the Peace, or a Court of Record for the trial of Civil Actions, shall be or continue to be holden in and for such Bo-
rough, shall signify the same by Petition to the Lord Lieutenant and Privy Council in Ireland, setting forth the grounds of the application, 30
and the salary which they are willing to pay to the Recorder in that behalf; and it shall be lawful for Her Majesty, if she shall be pleased thereupon to grant that a separate Court of Quarter Sessions of the Peace, or a Court of Record for the trial of Civil Actions, shall thence-
forward be holden in and for such Borough, the Lord Lieutenant may 35
appoint for such Borough, or for any Two or more of such Boroughs conjointly, a fit Person, being a Barrister-at-Law of not less than Six Years' standing, who shall be and be called the Recorder of such Borough or Boroughs, and shall hold such office during his good
behaviour; and the Lord Lieutenant, upon any vacancy in any such 40
office, may appoint another fit Person, being a Barrister-at-Law of not less than Six Years' standing, to be the Recorder in the place of the Person so making such vacancy; and the Council of every such Borough shall appoint a fit Person to be Clerk of the Peace
during

during good behaviour; and the Recorder for the time being of any Borough shall be a Justice of the Peace of and for such Borough, although he may not have such qualification by estate as is required by law in the case of any other Person being a Justice of the Peace for a County; and such Recorder shall have precedence, in all places within the Borough of which he may be the Recorder, next after the Mayor thereof; and it shall be lawful for the said Lord Lieutenant to direct that an annual salary, not exceeding the sum stated in the petition of the Council, shall be paid to such Recorder by the Treasurer of such Borough out of the Borough Fund: Provided always, That no Person being such Recorder as aforesaid shall be eligible to serve in Parliament for such Borough, nor shall he be an Alderman, Councillor or Police Magistrate of such Borough: Provided nevertheless, That nothing in this Act contained shall be construed to disqualify any such Recorder from being eligible to sit in Parliament otherwise than is herein provided: Provided also, That in every Borough in and for which a separate Court of Sessions of the Peace or a Court of Record for the Trial of Civil Actions is now holden, and of which the present Recorder or Deputy Recorder is a Barrister of Six Years' standing, such Recorder or Deputy Recorder, being qualified as aforesaid, shall be continued or appointed a Recorder under the provisions of this Act, and shall be paid out of the Borough Fund the salary now payable to him by the Corporate Body: Provided also, That, in case of sickness or unavoidable absence, the Recorder of any Borough shall be empowered, with the consent of the Council, to appoint a Deputy Recorder, being a Barrister of Six Years' standing, to act for him at the Sessions of the Peace then next ensuing, and in such Court of Record for any time not exceeding Three calendar Months, and no longer or otherwise.

Recorder to be a Justice of the Peace for the Borough.

Not to be Councillor or Police Magistrate.

AND whereas it is expedient that provision should be made by a separate Act of Parliament for the trial of offenders, and of civil actions, in cases in which the Recorder or Lord Mayor of the City of Dublin now either solely or jointly with any Member or Members of the Corporation of the City of Dublin possesses jurisdiction; BE it Enacted, That until Parliament shall otherwise provide, the present Recorder of the City of Dublin and his successors in that office, shall have all such powers and authority for and incident to the trial of offenders and of civil actions, as are now vested in the said Recorder or Lord Mayor either solely or jointly with any other Member or Members of the Corporation of the Lord Mayor, Sheriffs Commons and Citizens of the City of Dublin; and if the Recorder for the time being shall vacate his said office before such provision as aforesaid shall have been made, the Lord Lieutenant shall appoint a fit person to be Recorder, in lieu of the Recorder so

121.
CLAUSE (P.)
Recorder of the City of Dublin.

vacating the said office ; and the Recorder so from time to time appointed shall have the like powers and authorities as are hereby given or continued to the present Recorder ; and the present Recorder and his successors in that office shall be entitled to such salary as the present Recorder is now entitled to, and out of the same funds ; and such Recorder and his successors in that office shall hold their office during good behaviour, or until Parliament shall otherwise provide as aforesaid. 5

122.
Justices to
make Decla-
ration before
acting.

Provided nevertheless, and be it Enacted, That no Recorder or Person assigned as aforesaid to keep the peace within any such Borough shall be capable of acting as Recorder or Justice of the Peace within such Borough until he shall have taken the Oaths provided to be taken by Justices of the Peace, except any Oath as to qualification by estate, and until he shall have made before the Mayor, or before any Two or more of the Aldermen or Councillors of such Borough (who is and are hereby authorized and required to administer the same), a Declaration in the following form ; (that is to say) 10 15

“ I, A. B., do hereby declare, That I will faithfully and impartially execute the office of Recorder [or, Justice of the Peace] for the Borough of according to the best of my judgment and ability.” 20

123.
CLAUSE (Q.)
Sessions of the
Peace to be
held for the
Borough, of
which the Re-
corder is to be
the sole Judge.

And be it Enacted, That the Recorder of every Borough appointed under this Act, shall hold once in every quarter of a year, or at such other and more frequent times as the said Recorder in his discretion may think fit, or as Her Majesty shall think fit to direct, a Court of Quarter Sessions of the Peace in and for such Borough, of which Court the Recorder of such Borough shall sit as the sole Judge ; and such Court of Quarter Sessions of the Peace shall be a Court of Record, and shall have cognizance of all crimes, offences and matters whatsoever cognizable by any Court of Quarter Sessions of the Peace for counties in England ; and the said Recorder shall have power to do all things necessary for exercising such jurisdiction, notwithstanding his being such sole Judge, as fully as any such last-mentioned Court : Provided nevertheless, That no Recorder, by virtue of his office, shall have power to make or levy any county rate, or rate in the nature of a county rate, or to grant any license or authority to any person to keep an inn, alehouse or victualling-house, to sell exciseable liquors by retail, or to exercise any of the powers herein specially vested in the Council of such Borough. 25 30 35 40

124.
Mayor,
in the absence
of the Re-
corder, may

And be it Enacted, That in the absence of the Recorder and Deputy Recorder, the Mayor shall be authorized and required at the

the proper times appointed for the holding of such Court of Sessions of the Peace in and for such Borough to open the said Court, and to adjourn over the holding of the same, and to respite all recognizances conditioned for appearing at the same, until such further day as
 5 such Mayor then and there, and so from time to time, shall cause to be proclaimed: Provided nevertheless, That nothing in this Act contained shall authorize or require any such Mayor to sit as a Judge of the said Court for the trial of offenders, or to do any other act in the character of a Judge of such Court, save only
 10 in opening and adjourning the said Court, and respiting the said recognizances in manner aforesaid.

open and
adjourn the
Court.

And be it Enacted, That after the First day of January in the year following that in which this Act shall come into operation in any Borough, all powers and jurisdictions to try Treasons, Capital Felonies, and all other Criminal Jurisdictions whatsoever, granted or confirmed by any law, statute, letters patent, grant or charter whatsoever to any Mayor, Bailiff, Alderman, Recorder or other corporate or chartered Officer, or corporate or chartered Justice of the Peace whomsoever, in that Borough, except the Recorder of Dublin, and all
 15 right of any Body Corporate in that Borough, or any of the Members thereof, by virtue of any law, statute, letters patent, grant or charter whatsoever, to elect or nominate any Justices to keep the peace in or for any Borough, or by any Members of any such Corporate Body to act as such Justices of the Peace in or for any of the last-named
 20 Boroughs, other than is herein declared, shall cease: Provided nevertheless, That nothing in this Act contained shall be construed to restrain or prevent the holding of any Court of Gaol Delivery or General or Quarter Sessions of the Peace in and for any Borough for which such Court may now be holden, until the said First day
 25 of January, but every such Court may be holden in like manner and with the same powers, until the said First day of January, as if this Act had not been passed.

125.
Capital Juris-
dictions and
all other
Criminal
Jurisdictions
in Boroughs,
other than
are specified
in this Act,
abolished.

And be it Enacted, That after the last-named First day of January, every Person who shall then stand committed to take his trial at
 35 any Court of Gaol Delivery, General or Quarter Sessions of the Peace for any Borough, charged with any offence which the Recorder of such Borough, after the said First day of January, will not have the jurisdiction to try, may be lawfully removed and committed to the Gaol or House of Correction of the County in which or adjoining to
 40 which such Borough is situated, there to remain and take his trial at the next Court of Quarter Sessions for such County, if the offence is cognizable by a Court of Quarter Sessions, and if not, then before the Judges of Oyer and Terminer and Gaol Delivery at their next

126.
Offenders
committed
to Borough
Sessions whose
Jurisdiction is
taken away, to
be tried in
the adjoining
County.

circuit; and all Persons bound by recognizance to prosecute and give evidence against such Offenders shall be bound to appear to prosecute and give their evidence at the Court at which such Offenders shall be tried as aforesaid; and all such recognizances, and all depositions relating to such charges, shall be transmitted to the proper Officer of the Court where such Offenders shall be tried; and the Sheriff, Under Sheriff, Gaolers and other Officers of the County in which such Offenders shall be so tried, are hereby authorized and required in every such case to receive every Prisoner so committed to their custody, and him safely to keep until delivered by due course of law; and the Judges of Assize and others named in Her Majesty's Commissions of Oyer and Terminer and Gaol Delivery, or the Justices for the County, as the case may be, in which such Offenders shall be tried, are hereby authorized and required to hear and determine all such cases, and to order the payment of the usual and fit expenses of the Prosecutors and Witnesses, and all other costs and expenses, which in like case may be directed to be paid by order of the Court.

127.
County Jus-
tices to have
Jurisdiction in
all Boroughs
which have not
a separate
Court of Ses-
sions of the
Peace.

And be it Enacted, That after the last-named First day of January, the Justices assigned or hereafter to be assigned to keep the peace in and for the County in which any Borough is situated, to which Her Majesty shall not have granted that a separate Court of Sessions of the Peace shall be holden in and for the same, shall exercise the jurisdiction of Justices of the Peace in and for such Borough as fully as by law they and each of them can or ought to do in and for the said County; and no part of any Borough in and for which a separate Court of Quarter Sessions of the Peace shall be holden, shall be within the jurisdiction of the Justices of any County from which such Borough before the passing of this Act was exempt; any law, statute, letters patent charter, grant or custom to the contrary notwithstanding.

128.
Chartered
Admiralty
Jurisdictions
abolished.

And be it Enacted, That from and after the passing of this Act, so much of all laws, statutes and usages, and so much of all royal and other charters, grants and letters patent heretofore granted to any Borough or Body Corporate, whereby such Borough or any place within the precincts or liberties of the same, or such Body Corporate, or the freemen or inhabitants of the same, claims or claim to be exempted and released from the jurisdiction and office of the Lord High Admiral of England, or of the High Court of the Admiralty of England or Ireland, or whereby any Body Corporate, or any Mayor, Bailiff, Recorder, Steward or other chartered or corporate Officer of any Borough has or claims any thing belonging to the office of Admiral, whether or not to be exercised by virtue of any commission

to

to them or any of them to be directed, shall be and the same is hereby Repealed.

And be it Enacted, That in every Borough to which Her Majesty shall have granted a separate Court of Sessions of the Peace, or a
 5 Court of Record for the trial of Civil Actions as aforesaid, there shall be holden or continue to be holden a Court of Record for the trial of Civil Actions, and the Recorder of such Borough shall be the sole Judge of such Court, and, in all cases where by charter or custom there is or ought to be holden such a Court of Record, shall have
 10 jurisdiction to hold and continue such Court for the purpose of disposing of all causes pending therein at the time of the appointment of such Recorder, at such times and places, and with such rules and practice, and with the same powers and jurisdiction, as belonged to the said Court at the time of the passing of this Act; and in all other
 15 causes such Recorder shall have jurisdiction to proceed either by process of attachment of goods or by serviceable process according to the provisions hereinafter contained, with authority to try in a summary way, as hereinafter provided, actions of assumpsit, covenant and debt, whether the debt be by specialty or on simple
 20 contract; and all actions of trespass or trover for taking goods and chattels, provided the sum or damages sought to be recovered shall not exceed Twenty Pounds, and either the cause of action shall have accrued within such Borough, or the Defendant or one of the Defendants shall be resident therein; and also all actions of eject-
 25 ment between landlord and tenant, wherein the annual rent of the premises of which possession is sought to be recovered shall not exceed Twenty Pounds; and also to try, according to the course of the common law, actions of assumpsit, covenant and debt, whether the debt be by specialty or on simple contract, and all actions of
 30 trespass or trover for taking goods and chattels, provided the sum or damages sought to be recovered shall not exceed Fifty Pounds, and the cause of action shall have accrued within such Borough; and such actions shall not be removed or removable to any of Her Majesty's Superior Courts by Writ of Certiorari, or any other process
 35 save Writ of Error after Judgment, where the proceeding is according to the course of the Common Law: Provided also, That every such Judge respectively from time to time may make rules for regulating the practice of such Court over which he presides, but so that no such rules shall be of force until they shall have been
 40 allowed and confirmed by the Judges of Her Majesty's Court of King's Bench in Dublin, or any Three of them.

129.
Jurisdiction
of Court of
Record.

And be it Enacted, That in every Borough, being a County of a City or County of a Town, wherein the office of Clerk of the Crown or Clerk of the Peace is now by law in the appointment of the Corpo-

130.
Appointment
of Clerk of the
Crown or
Clerk of the
Peace.

ration of such Borough, or any member or officer thereof, or held by any officer thereof in right of his office, and in every Borough, not being a County of a City or County of a Town, to which a separate Commission of the Peace shall be granted, it shall and may be lawful for the Lord Lieutenant to grant from time to time to any Person the offices of Clerk of the Peace and Clerk of the Crown of such Borough, or either of them; and the Clerk of the Peace of the County of Londonderry, and the Coroners of the said County, shall, whenever after the passing of this Act such offices respectively shall become vacant, be appointed and elected in the same manner as the Clerk of the Peace and Coroner of any other County at large in Ireland. .

131.

Appointment
of Registrar of
Court of
Record, and
Clerk of Court
of Conscience.

And be it Enacted, That in any Borough wherein there shall be a Court of Record for the trial of Civil Actions, or a Court of Conscience, under the provisions of this Act, the Council shall appoint the Registrar of such Court of Record and the Clerk of such Court of Conscience respectively, and such other officers and servants as are necessary for carrying on the business and executing the process of such Courts respectively; and that no Registrar or other officer of such Court shall by himself or his partner practise as an Attorney in such Court.

132.

Existing Suits
not to abate
by reason of
the change of
Jurisdiction.

And be it Enacted, That no Suit commenced in any Court of Record in any Borough before the passing of this Act shall abate by reason of any change that shall have been worked in the constitution of such Court by the provisions of this Act, but that the same may be heard and determined as if it had been commenced before such Judge, according to the provisions hereinbefore contained in that behalf; and every Action, Suit and Proceeding in which any Corporate Body in conjunction with the name of any Borough mentioned in the Schedules to this Act is a party or interested, shall and may be carried on by or against the Mayor, Aldermen and Burgesses of that Borough.

133.

Who to be
Jurors.

3 & 4 Will. 4.
c. 91.

And be it Enacted, That from and after the time when this Act shall come into operation in any Borough, including the City of Dublin, every Person being a Burgess of any Borough wherein there shall be a separate Court of Sessions of the Peace, or a Court of Record for the trial of Civil Actions, (who would be qualified to serve on a Jury according to the provisions of an Act passed in the Session of Parliament holden in the third and fourth years of the reign of his late Majesty King WILLIAM the Fourth, intituled, "An Act for consolidating and amending the Laws relative to Jurors and Juries in Ireland,") shall be qualified and liable to serve on Grand Juries in such Borough, and also upon Juries for the trial of all

Issues

Issues joined in any Court of Sessions of the Peace and in any Court of Record for the trial of Civil Actions, triable within the Borough of which such Person shall be a Burgess; and the Clerk of the Peace of every such Borough shall give public notice of the time and place of holding every such Sessions of the Peace Ten Days at least before the holding thereof, and in Boroughs being Counties of Cities or Counties of Towns, the Sheriff thereof, and in other Boroughs the Clerk of the Peace thereof, shall, Seven Days at the least before the holding thereof, cause to be summoned a sufficient number of Persons, being qualified and liable as aforesaid, to serve as Grand Jurors at such Sessions; and in Boroughs being Counties as aforesaid, the Sheriff, and in other Boroughs the Clerk of the Peace and Registrar of the Court of Record respectively, shall also cause to be summoned not less than Thirty-six nor more than Sixty Persons so liable and qualified as aforesaid to serve as Jurors at every such Sessions, and at the holding of every such Court of Record for the trial of causes; and such summons shall be made by showing to the Person to be summoned, or in case he shall be absent from the usual place of his abode, by leaving with some person therein inhabiting, a note in writing under the hand of such Sheriff, Clerk of the Peace or Registrar respectively, containing the substance of such summons; and such Sheriff or Clerk of the Peace respectively shall make out a List of the Names of such Persons so summoned as Grand Jurors; and such Sheriff, Clerk of the Peace or Registrar respectively shall also make out a Panel of such Persons so summoned other than Grand Jurors; and such List and Panel shall respectively contain therein the christian names and surnames, places of abode and descriptions of the several Persons therein named; and if any Person having been duly summoned to attend on any Jury shall not attend in pursuance of such summons, or, being thrice called, shall not answer to his name, or after his appearance wilfully withdraw himself from the presence of the Court, the Court shall impose such Fine upon every Person so making default (unless some reasonable excuse shall be proved to the satisfaction of the Court), as the Court shall think meet; and if any Person on whom such Fine shall be imposed shall refuse to pay the same to the Person who shall be authorized by the Court to receive the same, it shall be lawful for the Court then, or at its next sitting, by order of the Court, signed by the Clerk of the Peace or Registrar respectively, to cause to be levied, by distress and sale of the goods of the Person on whom such Fine shall have been imposed, every such Fine and the reasonable charges of such distress and sale; and every Fine so received shall be paid to the Treasurer of the Borough, to be by him carried to the account of the Borough Fund hereinbefore mentioned.

Fine for non-attendance.

134.
Justices, &c.
exempt from
serving on
Juries.

And be it Enacted, That after the time when this Act shall come into operation in any Borough, every Member of the Council for the time being of the Borough, and Justice assigned to keep the peace therein, and every Officer of Police therein, and the Treasurer and Town Clerk for the time being of every such Borough, shall be 5
exempt and disqualified from serving on any Jury summoned within such Borough respectively, save and except the Juries summoned for an Assize or general Gaol Delivery.

135.
Court of
Record, pro-
ceeding in.
Attachment.

And be it Enacted, That in all cases of debt or liquidated damages, in which the Plaintiff shall be desirous of proceeding in 10
the Court of Record of any Borough, except the City of Dublin, by way of attachment of goods, the Plaintiff or one of the Plaintiffs, or some Person able to depose to the facts of his own knowledge, shall first make affidavit before the Recorder or the Mayor (who is hereby empowered to take such or any other affidavits in the said Court) of 15
the cause of action, and that the same has accrued within such Borough, or else, where the debt or damages do not exceed Twenty Pounds, that the Defendant, or one of the Defendants, is resident therein (describing such Defendant by his name, addition and residence particularly), and that the Deponent is apprehensive that such 20
debt or damages is or are in danger of being lost to the Plaintiff, unless aided by process of the said Court to attach the goods of the Defendant, and thereupon it shall be lawful for such Recorder or Mayor to issue an attachment, directed to the proper Officer of the Court to be appointed in that behalf as aforesaid, requiring 25
him, according to the Form Number 1, in Schedule (E.) to this Act annexed, to attach the goods of the Defendant within the Borough; and thereupon such Officer is hereby authorized and required to seize such goods, and to detain the same until the Defendant shall have given special bail to pay such sums of money as may be 30
adjudged to the Plaintiff in that Suit, which bail may be taken either by the Recorder or by the Mayor of such Borough.

136.
Foreign
Attachment.

And be it Enacted, That in all Boroughs in which, by usage or charter, the goods, monies or credits of the Defendant may, by process of Foreign Attachment, be attached in the hands of a third 35
Person, such process by Foreign Attachment may be proceeded upon in the Court of Record of such Borough under this Act, with such rules of practice and with the same powers and jurisdiction as belonged to the said Court at the time of the passing of this Act: Provided always, That no such Foreign Attachment shall be issued, 40
unless a Common Attachment against the goods of the Defendant shall first have issued, and unless thereupon a further affidavit shall be made as aforesaid, describing the goods, monies or credits sought to be attached in the hands of such third Person, and stating that
the

the same belong to the Defendant; and such third Person, in case he claims a property in such goods, shall be permitted to give bail for the same in manner aforesaid.

And be it Enacted, That upon the appearance of the Defendant upon any such Common Attachment, and upon the appearance of the Garnishee upon any such Foreign Attachment, the Plaintiff, in all cases where the debt or damages do not exceed Twenty Pounds, shall proceed by way of Civil Bill thereupon, and not according to the course of the Common Law, by filing such Civil Bill in the said Court, and giving notice in writing of such filing, together with a copy of such Civil Bill, to the party or his attorney in the proceeding.

137.
Where the
Proceedings
shall be by
Civil Bill.

And be it Enacted, That in all such cases, and in all other cases wherein the debt or damages do not exceed Twenty Pounds, and the Plaintiff shall elect to proceed by serviceable process only in such Court of Record, and in all cases of ejectment triable in such Court of Record, the proceeding shall be, as nearly as circumstances will admit, in the forms and according to the course and with such right of appeal to the Judge of Assize of the County in which such Borough, or any part thereof, shall be situate, or to one of the Superior Courts in the City of Dublin, as is by law provided in cases of Civil Bills determinable before the Assistant Barristers of Counties in Ireland, and in cases where the Plaintiff shall proceed in such Court according to the course of the Common Law, and shall recover in debt or damages an amount not exceeding Twenty Pounds, such Plaintiff shall not recover any costs of suit.

138.
Form of
Proceeding.

And be it Enacted, That any Attorney of any of the Superior Courts of Record in Dublin shall be admissible to practise in the Court of Record of any such Borough, without payment of any fee or stamp-duty upon such his admission, and may continue to practise therein so long as he continues an Attorney of some of the Superior Courts of Record aforesaid, and is in all other respects duly qualified to act and practise as such Attorney.

139.
Attornies in
Court of
Record.

AND whereas in several of the Boroughs in Ireland there have been Courts for the recovery of small debts in a summary way, commonly called Courts of Conscience; and such Courts, when well regulated, have been found useful to the poorer inhabitants of the said Boroughs; and it is expedient to make new and further provisions for the establishment and regulation of such Courts in certain cases; BE it Enacted, That from and after the first election of the Council of any Borough under the provisions of this Act, all

140.
Court of
Conscience.

the powers, authorities and jurisdictions of the then existing Court for the recovery of small debts, commonly called the Court of Conscience in such Borough, whether same shall have been established by usage, statute or otherwise, shall wholly cease and determine, save only as to the execution of any decrees or orders of the said Court theretofore lawfully made; and that in every Borough in the Schedules to this Act annexed, in which there has been heretofore such a Court, or in which the Lord Lieutenant shall, upon the application of the Council, direct that there shall be such a Court, before the Mayor of the said Borough, or the Deputy of such Mayor duly appointed by him by writing under his hand, with the consent of the Council of such Borough, signified by a resolution of such Council duly convened for that purpose, a Court for the recovery of small debts, to be called the Court of Conscience of such Borough, and that the Mayor of the said Borough, or his Deputy for the time being duly appointed, shall be the Judge or President of such Court, and shall have full power and authority to hear and determine in a summary way causes in all small debts between party and party not exceeding in amount the sum of Forty Shillings, where the cause of action shall have accrued within the said Borough, or the Defendant shall reside within the same.

141.
Proceedings
in Courts of
Conscience.

And be it Enacted, That the said Court shall be held at such times and in such place within the said Borough as the Council of the said Borough shall direct and provide, and not otherwise; and that the proceedings in said Court shall be by summons, in the Form Number 2, specified in the Schedule (E.) to this Act annexed, stating the names of the Parties, Plaintiff and Defendant, the nature and amount of the debt, and the time and place when and where the Defendant is required to appear and answer the said claim; and such summons shall be served on the said Defendant personally, or in case of difficulty in effecting personal service arising from the acts or contrivance of said Defendant, by serving same in such manner as the President of the said Court shall direct; and in such case a copy of the order for such substitution of service shall be served along with and in the same manner as the summons; and in all cases the summons shall be served in manner aforementioned Twenty-four Hours at the least previously to the hearing of the cause; and in case the said Defendant shall appear, or if the Plaintiff shall prove by affidavit (which, and all other affidavits in the said Court, the said President is hereby empowered to take) the due service of the said summons, or summons and order as aforesaid, the President of the said Court shall proceed to hear the said cause, and the statement of the said party or parties, or their attorney or attornies, and all competent witnesses, and other legal evidence produced by them or either

either of them, and shall determine the same: Provided always, That it shall be lawful for either party to require the other to be examined upon oath touching the said claim, but that neither of the said parties shall be admitted by his own evidence, on oath or otherwise, to support his own case.

And be it Enacted, That upon such evidence as shall be adduced, and the admissions of the said parties, if required to be examined as aforesaid, the said President shall decide upon the case, and shall make an order either for the payment of the sum claimed by the Plaintiff or any part thereof, together with his costs of suit, according to a Table of Costs to be settled for said Courts in manner hereinafter provided, or for dismissing the said summons, and in such case to order the Plaintiff to pay to the Defendant his reasonable costs according to the said Table, or may adjourn the cause to some other day, as justice may require; and every such order shall specify a time within which such payment of debt and costs, or of costs, as the case may be, shall be made, either by instalments or otherwise; and every order dismissing such summons shall be expressed therein to be either "on the merits," or "without prejudice to any other proceeding for the said demand;" and in case the party against whom such order for the payment of the said debt and costs, or of such costs, shall be made, shall not pay the amount thereof pursuant to the terms of said order, it shall be lawful for the President of the said Court, upon affidavit made of the service of a copy of such order on such party personally, or at his dwelling-house, office or shop, or last known place of residence within the said Borough, and of the non-payment of any sum of money mentioned in such order, pursuant to the terms thereof, to issue his warrant under his hand to levy the amount thereof by distress and sale of the goods of the said party.

142.
Order of
Court of Con-
science.

And be it Enacted, That no re-hearing of any cause shall be had in the said Court, except only in cases where the same shall have been dismissed, "without prejudice to any other proceeding," as aforesaid; and that if any Party shall think himself aggrieved by any such order of the said Court, either for payment of the said debt and costs, or for dismissing his cause on the merits as aforesaid, it shall be lawful for such Party to appeal therefrom to the Recorder of the said Borough, where there is a Recorder in the said Borough; provided that in case of such appeal, the Party so appealing shall give notice of such appeal to the President of the said Court, and also to the opposite Party in said cause; and said appeals may be forthwith proceeded upon before such Recorder at the Court of said Recorder, if then holden, or at the next or any subsequent Court of such Recorder to be held within Six calendar

143.
Appeal from
Court of Con-
science.

Months from the time of the service of such order upon the Party so appealing ; and such Recorder shall have full power and authority to proceed to hear such cause, and to rescind and vary or reverse or affirm said order, and in all or any of such cases to make such order, either for the payment of the said debt and costs, together with 5 reasonable costs of such Appeal, pursuant to the said Table of Costs, or for the payment of such costs only as aforesaid as justice shall require ; and in case of non-payment of the sum or sums of money mentioned in such order, on like affidavit of the due service thereof in manner aforesaid, to issue his warrant under his hand to levy the 10 amount thereof by distress and sale of the goods of the said Party, in the same manner as the said President of the said Court of Conscience is hereby authorized : Provided always, That such notice of appeal shall not operate to stay execution of any order or warrant of the said President of the said Court of Conscience, unless the 15 Party appealing therefrom shall enter into a bond to the Mayor of said Borough, by himself and Two Sureties jointly and severally bound in Double the amount of the sums mentioned in such order, that such Party so appealing shall prosecute such Appeal with effect ; and in case such order shall be affirmed in the whole or in part on 20 such Appeal, to pay the sum mentioned in such order of affirmation, either for debt and costs, or for costs : Provided always, That such Bond shall not be liable to any Stamp-duty.

144.
Books of
Proceedings to
be provided
and kept.

And be it Enacted, That the President of the said Court of Conscience, and the Recorder as Judge upon Appeals from the President 25 or the Town Clerk under their orders respectively, shall make or cause to be made fair and regular entries in books to be provided by the Town Clerk under the direction of the Council for that purpose, of all judgments, orders, directions, regulations, acts and proceedings of them the said President and Recorder respectively, 30 in or relating to the execution of the several powers and authorities vested in them as Judges in the first instance, and upon appeal in such Court as aforesaid, and shall respectively sign the same ; and such entries when so signed shall be allowed in evidence in proof of the proceedings of such Court in all Courts whatsoever ; and if any 35 Person within the jurisdiction of the said Court, after having been duly served with a summons to be issued by the Clerk thereof, and paid or tendered his reasonable expenses to attend and give evidence, at a time and place in such summons mentioned, on behalf of any Plaintiff or Defendant, shall refuse or neglect to appear pursuant to 40 such summons, due proof being made of the service of such summons, and no sufficient cause for his non-appearance being shown to the satisfaction of the Court upon affidavit, or if the Person so served with such summons shall appear and refuse to give evidence touching the matter in question, then and in every such case it shall be

be lawful for such President or Recorder, as the case may be, if satisfied upon affidavit that such Person not appearing was duly served with such summons, and was a material witness for the party on whose behalf he was so summoned, or that such Person appearing
5 and refusing to give evidence as aforesaid was a material witness for the party on whose behalf he was called, to impose any Fine not exceeding Fifty Shillings on every such Person; and in case such Fine shall not be paid forthwith, such Fine may be levied by distress and sale of the goods of the offender, by warrant under the hand of
10 such President or Recorder, as the case may be, rendering the overplus (if any), after deducting such Fine and the costs and charges of such distress, to the owner of the goods; and such Fine when levied shall be paid over to the party on whose behalf such Person shall have been summoned or called upon to give evidence; and
15 in case any Person shall be guilty of a contempt of the said Court, it shall be lawful for such President or Recorder to direct that such offender be taken into custody, and any Officer of the Court, with or without the assistance of any other Person, may take such offender into custody accordingly; and the said President or Recorder shall
20 then examine into such contempt, and then upon his own view, or upon oath of One or more other Persons, impose a Fine not exceeding Fifty Shillings for each offence on each offender; and if such Fine shall not be forthwith paid, such President or Recorder may commit the offender to any lawful prison within such Borough for
25 any time not exceeding Twenty Days, or such Fine may be levied by distress and sale of the goods of the offender in manner aforesaid, and paid to the Treasurer of such Borough to the credit of the Borough Fund, and such offender may be detained in custody until the rising of the Court on the day of his offence, and for One Hour
30 after.

And be it Enacted, That the Council of every Borough shall and they are hereby required, within Six calendar Months next after their election, to make and settle a Table of the Fees which shall be
35 taken by the Clerk of the Peace in those Boroughs in which a separate Court of Session of the Peace shall be holden, and in those Boroughs in which there shall be a Court of Record and a Court of Conscience, a Table of the Fees to be taken by the Registrar and Officers of such Courts; and such Tables of Fees shall be submitted to the Chief Secretary or Under Secretary of the Lord Lieutenant of Ireland; and
40 when such Tables of Fees shall be confirmed and allowed by such Chief Justice or other Justices, or any Three of them, either as such Table shall have been submitted to them, or with such alterations, additions or abatements as they shall think proper, the Fees therein mentioned may thenceforth be lawfully taken by the Person therein named to be entitled thereunto; and it shall

145.
Fees payable
to the Clerk
of the Peace,
Clerk to the
Magistrates,
and Registrar
and Officers
of the Court
of Record.

be lawful for the Council of such Borough, from time to time as occasion may require, to make new Tables of Fees, to be taken instead of the Fees contained in the Tables which shall have been made as aforesaid, which new Tables shall be confirmed and allowed in the manner hereinbefore mentioned, otherwise the same shall be of no validity ; and that until Tables of the Fees so to be taken in any such Borough shall have been made and confirmed as aforesaid, it shall be lawful for such Clerk of the Peace at the Sessions for any such Borough to take the Fees authorized by the Table for the time being to be taken by the Clerk of the Peace at the Sessions for the County within or adjoining to which such Borough is situated, and for the Registrar and Officers of such Court of Record or Court of Conscience to take the Fees usually taken by them before the passing of this Act.

146.
Clerks to
Justices to be
entitled to
Fees charge-
able under Act
7 & 8 Geo. 4.

And be it Enacted, That in those Boroughs to which a Commission of the Peace shall have been granted, the Clerk to the Justices shall be entitled to such Fees (and no other) as are chargeable by and under an Act passed in the Session of Parliament holden in the seventh and eighth years of the reign of his Majesty King GEORGE the Fourth, intituled, " An Act for the better Administration of Justice at the holding of Petty Sessions by Justices of the Peace in Ireland," subject to such orders of the Justices as in that Act provided.

147.
Table of Fees
to be hung up.

And be it Enacted, That the Town Clerk of every Borough shall cause a true copy of the Tables of Fees in force for the time being to be hung up in a conspicuous part of the room in which the business of his office is transacted, and also in the room wherein the Justices of the Peace of such Borough shall sit for transacting their business, and also in the room wherein the Court of Sessions of the Peace for the Borough shall be held, and also in the Court of Record and Court of Conscience of the said Borough respectively.

148.
Application of
Penalties.

And be it Enacted, That when by any Act any penalties or forfeitures are or shall hereafter be made recoverable in a summary manner before any Justice or Justices of the Peace and by such Act respectively, the same are or shall be limited and made payable to Her Majesty, or to any Body Corporate, or to any Person whomsoever, save and except the informer who shall sue for the same, or any party aggrieved, in every such case the same, if recovered and adjudged before any Justice of any Borough in which a separate Court of Sessions of the Peace shall be holden as aforesaid, shall, notwithstanding any thing in such Act respectively contained, be recovered for and adjudged to be paid to the Treasurer of such Borough for the time being, to the credit and on account of the Borough Fund of such Borough ; and no such penalty or forfeiture, or

or share of such penalty or forfeiture, shall in any case be recovered by or adjudged to be paid to any other Person than the said Treasurer, unless such Person be the informer or the party aggrieved: Provided always, That nothing herein contained shall extend to any
 5 penalties or forfeitures recovered under any Act relating to the Customs, or to Trade or Navigation, and sued for by the direction of the Commissioners of Her Majesty's Customs, which shall be paid to such Person as the said Commissioners shall direct to receive the same.

AND for the more effectual prosecution of offences punishable
 10 upon summary conviction by virtue of this Act, BE it Enacted, That the prosecution for every such offence shall be commenced within Six calendar Months after the commission of the offence, and not otherwise; and that where any Person shall be charged, on the oath of a credible witness, with any such offence before a Justice of the
 15 Peace, the Justice may summon the Party charged to appear before any Two Justices of the Peace acting in and for the Borough in which such offence shall have been committed, at a time and place to be named in such summons; and if such Party shall not appear accordingly, the Justices of the Peace then and there present (upon
 20 proof of the due service of the summons, by delivering a copy thereof to the Party, or by delivering such copy at the Party's usual place of abode to some inmate thereat, and explaining the purport thereof to such inmate,) may either proceed to hear and determine the case in the absence of the Party, or may issue their warrant for apprehending and bringing such Party before them, as they shall think
 25 proper.

And be it Enacted, That it shall be lawful for any Justice of the Peace acting in and for any Borough to issue his summons, requiring any Person to appear before any such Justices of the Peace, for the
 30 purpose of giving evidence touching any offence against this Act; and if any Person so summoned shall neglect or refuse to appear at the time and place appointed by such summons, and no reasonable excuse for his absence shall be proved before the Justices of the Peace then and there present, or if any Person appearing in obedience
 35 to such summons shall refuse to be examined on oath touching any such offence by the Justices then and there present, every Person so offending shall, on conviction thereof before the said Justices, or any other Justices of the Peace, forfeit and pay such sum of money, not exceeding Five Pounds, as to the convicting Justices shall seem
 40 meet; and no Person, although liable to the Rate contributing to the Borough Fund of any Borough shall be deemed an incompetent witness in proof of any offence against this Act, by reason of any penalty or forfeiture for such offence being applicable to the use of such Borough Fund; and no Justice of the Peace shall be disabled

149.
Limitation of time for prosecution of offences punishable on summary conviction under this Act, and summons of offenders.

150.
Power to summon Witnesses.

Penalty for disobedience of Summons, &c.

No Witness or Justice to be incompetent on the ground of rateability.

from acting in the execution of this Act by reason of his being liable to the Rate contributing to the Borough Fund of any Borough.

151.
Payment of
Penalties, and
mode of levy-
ing the same.

And be it Enacted, That the Justices of the Peace by whom any Person shall be summarily convicted and adjudged to pay any sum of money for any offence against this Act, may adjudge that such Person shall pay the same, either immediately or within such period as the said Justices shall think fit; and in case such sum of money shall not be paid at the time so appointed, the same shall be levied by distress and sale of the goods and chattels of the offender, with the reasonable charges of such distress; and for want of sufficient distress, such offender shall be imprisoned, with or without hard labour, in the Common Gaol or House of Correction, as to the convicting Justices shall seem meet, for any term not exceeding One calendar Month where the sum to be paid shall not exceed Five Pounds, and for any term not exceeding Two calendar Months in any other case; the imprisonment to cease in each of the cases aforesaid; upon payment of the sum due.

152.
Form of
Conviction.

And be it Enacted, That the Justices of the Peace before whom any Person shall be summarily convicted of any offence against this Act, may cause the Conviction to be drawn up in the following form 20 of words, or in any other words to the like effect, as the case may require ; (that is to say)

“ (to wit.) } BE it Remembered, That on the day of
 in the year of our Lord
 in the Borough of in the County of 25
 A. O. is convicted before us, J. P., and J. J. P.,
two of Her Majesty’s Justices of the Peace for the said
County [or, Borough, or otherwise, as the case may be], or
that the said A. O. did [here specify the offence, and the
time and place when and where the same was committed, 30
as the case may be]; and we do adjudge that the said
A. O. shall for the said offence forfeit the sum of
 and shall pay the same immediately [or, shall
pay the same on or before the day of]
to the Treasurer for the said Borough, 35
to be by him applied according to the directions of the
Statute in that case made and provided. Given under our
hands the day and year first above mentioned.”

153.
Appeal against
Convictions
under this
Act.

And be it Enacted, That any Person who shall think himself aggrieved by any summary conviction in pursuance of this Act 40 may appeal to the next Court of General or Quarter Sessions of the Peace to be holden not less than Twelve Days after such conviction, for

for the County or Division of the County, or for the Borough wherein the cause of complaint shall have arisen; provided that such Person shall give to the complainant a notice in writing of such appeal, and of the cause and matter thereof, within Three Days after
 5 such conviction, and Seven clear Days at the least before such Sessions, and shall also either remain in custody until the Sessions, or within such Three Days enter into a recognizance with a sufficient surety before a Justice of the Peace conditioned personally to appear at the said Sessions and to try such appeal, and to abide the judgment
 10 of the Court thereupon, and to pay such costs as shall be by the Court awarded; and upon such notice being given, and such recognizance entered into, the Justice before whom the same shall be entered into shall liberate such Person if in custody; and the Court at such Sessions shall hear and determine the matter of the appeal,
 15 and shall make such order therein, with or without costs to either party, as to the Court shall seem meet; and in case of the dismissal of the appeal, or the affirmance of the conviction, shall order and adjudge the offender to be dealt with and punished according to the conviction, and to pay such costs as shall be awarded, and shall, if
 20 necessary, issue process for enforcing such judgment.

And be it Enacted, That no conviction, order, warrant or other matter made, or purporting to be made, by virtue of this Act, shall be quashed for want of form; and no warrant of commitment shall be held void by reason of any defect therein, provided that it be
 25 therein alleged that it is founded on a conviction, and there be a good and valid conviction to sustain the same; and where any distress shall be made for levying any money by virtue of this Act, the distress itself shall not be deemed unlawful, nor the party making the same be deemed a trespasser, on account of any defect or want
 30 of form in the summons, conviction, warrant of distress, or other proceedings relating thereto; nor shall the party distraining be deemed a trespasser ab initio on account of any irregularity afterwards committed by him, but the Person aggrieved by such irregularity may recover full satisfaction for the special damage, if any,
 35 in an Action upon the case.

154.
No Certiorari,
&c.

As to informality in Warrants, &c.

AND for the protection of Persons acting in the execution of this Act; BE it Enacted, That all Actions and Prosecutions to be commenced against any Person for any thing done in pursuance of this Act shall be commenced within Twelve calendar Months after the
 40 fact committed, and not otherwise; and notice in writing of such Action, and of the cause thereof, shall be given to the Defendant One calendar Month at least before the commencement of the Action; and in any such Action the Defendant may plead the General Issue, and give this Act and the special matter in evidence at any trial to

155.
Limitation in proceedings against Persons acting under this Act.

Notice of Action.

General Issue.

Tender of
Amends, &c.

be had thereupon ; and no Plaintiff shall recover in any such Action if tender of sufficient amends shall have been made before such Action brought, or if a sufficient sum of money shall have been paid into Court after such Action by or on behalf of the Defendant ; and if a verdict shall pass for the Defendant, or the Plaintiff shall become nonsuit, or discontinue any such Action after issue joined, or if upon demurrer or otherwise judgment shall be given against the Plaintiff, the Defendant shall recover his full costs as between attorney and client, and have the like remedy for the same as any Defendant hath by law in other cases.

156.
CLAUSE (R.)
When the Act
shall come
into operation.

And be it Enacted, That as soon as any Rate for the relief of the destitute Poor shall have been made in any of the Boroughs named in the said Schedules (A.) and (B.), the Guardians, Wardens or other Officers acting in the management or relief of the destitute Poor, by whom any such rate shall have been made, shall, under the hands of Three or more of them ; or in their default, the Commissioners appointed to carry into execution any Act for the relief of the destitute Poor in Ireland, shall, under their seal, certify to the Lord Lieutenant of Ireland that such rate has been made ; and upon the receipt of such certificate the Lord Lieutenant shall cause such certificate to be published in the Dublin Gazette, with a declaration that this Act will thenceforward be in force in the Borough or Boroughs named in the certificate ; and upon such publication this Act shall come into operation and be in force in the Borough or Boroughs named in such certificate.

157.
Periods con-
nected with
first Registra-
tion and Elec-
tion may be
deferred by
Orders in
Council.

AND whereas it may happen that the several provisions of this Act cannot be carried into effect within the several periods hereinbefore specified and limited in that behalf ; BE it therefore Enacted, That it shall be lawful for the Lord Lieutenant of Ireland, if he shall think fit, by the advice of Her Majesty's Privy Council there, to order any convenient day after this Act shall come into operation in any Borough for doing the several matters required or authorized by this Act to be done, on the Fifth day of September, in the first year in which this Act shall come into operation in that Borough, instead of the said Fifth day of September ; and in such case all matters mentioned in such order shall be done in the said year, on such day as shall be mentioned in that behalf, in such order, as if the day mentioned in such order had in every instance been mentioned in this Act, instead of the said Fifth day of September, and not otherwise ; and all things required or authorized by this Act to be done on any other day, or within any time from or after any day named in this Act, shall be done in the said first year on such other days and within such other times as shall have the same relation in point of time to the day so ordered by the Lord Lieutenant, instead of the Fifth day of September, as the days and time mentioned

mentioned in this Act have to the said Fifth day of September; but if any such day fall on a Sunday, then on the following day; and no Person shall be entitled to be enrolled in the Burgess Roll of any Borough in the first year in which this Act shall come into
 5 operation in that Borough, unless he would have been entitled on the Fifth day next before the day so ordered by the Lord Lieutenant, to have his name included in some Churchwarden's List, if such List had been made out on the said Fifth day next before the day so ordered.

10 And be it Enacted, That after the passing of this Act, every application to the Court of Queen's Bench, for the purpose of calling upon any Person to show by what warrant he claims to exercise the office of Mayor, Alderman or Councillor in any Borough, shall be made
 . before the end of the term following next but one after the election
 15 of the Person against whom such application shall be directed, and not at a subsequent time.

158.
 Applications for Quo warrant to be made within the time next but one after Election.

And be it Enacted, That after the passing of this Act, in case no election shall be made of any Mayor, or any of the Aldermen, Councillors or other Corporate Officers, in any Borough named in
 20 the said Schedules, upon the day or within the time appointed by this Act for such election, or such election being made shall afterwards become void, whether such omission or avoidance shall occur through the default of the Officer or Officers who ought to preside at such election, or by any other means or accident whatsoever, the
 25 Corporation shall not thereby be deemed to be dissolved or disabled from electing such Mayor, Alderman or Councillor, or other Corporate Officer, for the future; but in case where no such election shall be made as aforesaid, the election for any such Mayor, Alderman, Councillor or other Corporate Officer, may be had, held or pro-
 30 ceeded with upon the day next after the day on which such election ought to have been made, unless such day shall happen to be a Sunday, and then upon the Monday following; and every act necessary to be done in order to and for the completing such election, shall and may be then done, and the same shall be as effectual and
 35 valid for all purposes as if the election had been made on the proper day appointed for that purpose.

159.
 Corporations not to become extinct by reason of Election not being held on appointed days.

And be it Enacted, That after the passing of this Act, all the powers, authorities and jurisdictions by an Act passed in the Parliament of Ireland, in the nineteenth year of the reign of King
 40 GEORGE the Second, intituled, "An Act for the better Regulation of Corporations," given to Her Majesty's Court of Queen's Bench in Ireland, in cases where no election shall be made of the Mayor, Bailiff or Bailiffs, or other Chief Officer or Officers of Cities, Boroughs or Towns Corporate, upon the day or within the time

160.
 Provisions of Act of Irish Parliament, 19 Geo. 2, extended to Elections under this Act.

appointed by charter or usage for that purpose, and that no election is made pursuant to the directions in that Act and hereinbefore prescribed, or that such election being made, shall afterwards become void, as in that Act mentioned, shall be and the same are hereby extended to all cases in which no election shall be made of any Mayor, Alderman, Councillor, or other Corporate Officer or other Person, to any Corporate Office, on the day or within the time appointed for any such election under the provisions of this Act; and the said Court of Queen's Bench is hereby empowered in all such cases to award a Mandamus, and to cause such proceedings to be had thereupon, and to make such orders, and to do all other acts, matters and things in respect thereof, as fully and effectually as the said Court is now by law authorized in any other cases of Mandamus for the election of any Officers of Corporations; and the election to be held under such Mandamus shall be held and the proceedings thereupon conducted within the Borough, in the same manner and under the like regulations and provisions as are in said Act of his Majesty King GEORGE the Second enacted and provided.

161.
The Queen
empowered to
grant Charter
of Incorporation.

AND whereas sundry Towns in Ireland not named in the Schedules to this Act annexed are not Towns Corporate, and in some others the Corporations have been extinct, and it may be expedient that several of them should be incorporated, and it may be also expedient that others which are Towns Corporate should be assimilated to the Boroughs mentioned in the Schedules to this Act annexed; BE it Enacted, That if any of the Inhabitant Householders of any Town in Ireland shall petition Her Majesty to grant to them a Charter of Incorporation, it shall be lawful for Her Majesty, by any such Charter, if she shall think fit to grant the same, to extend to the Inhabitants of any such Town within the District to be set forth in such Charter the powers and provisions in this Act contained; and thereupon all former Charters in cases where such Towns are incorporated shall cease at such time as the Lord Lieutenant shall direct, and the powers and provisions in this Act contained shall be carried into effect at such times and in such manner as the Lord Lieutenant shall direct, and as nearly as may be in like manner as if such town or towns were named in either of the Schedules (A.) or (B.) to this Act annexed: Provided nevertheless, That notice of every such Petition, and of the time when it shall please Her Majesty to order that the same be taken into consideration by Her Privy Council, shall be published by Royal Proclamation in the Dublin Gazette One Month at least before such Petition shall be so considered.

162.
Saving the
Rights of the
Governor and
Assistants of

And be it Enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter or take away any of the rights, privileges, powers or authorities vested in or enjoyed by the Society
of

of the Governor and Assistants of London of the New Plantation in Ulster, within the realm of Ireland, under or by virtue of any Charter or Charters heretofore granted to them by the Crown.

London of
New Planta-
tion in Ulster.

And be it Enacted, That in the construction of this Act the
5 word "Borough" shall be construed to mean City, Borough or
Town Corporate, named in one of the said Schedules (A.) or (B.);
and the words "Body Corporate" shall be construed to mean
Body Corporate named in one of the said Schedules (A.) or (B.),
10 and to include all Guilds and Fraternities of, within or con-
nected with such Bodies Corporate respectively; and the word
"Burgess" shall be construed to mean Citizen, in the case of a City;
and the word "County" shall be construed to mean County or
Riding; and the word "Trustees" shall be construed to mean
15 Trustees, Commissioners or Directors, or the Persons charged with
the execution of a Trust, by whatever name they are designated;
and the word "Parish" shall be construed to extend to any extra-
parochial Precinct or Place, as well as a Parish; and the words
"Lord Lieutenant" shall be construed to mean the Lord Lieutenant,
20 Lords Justices, or other Chief Governor or Governors of Ireland;
and that in all things hereinafter provided to be done until the first
election of Councillors in any Borough under this Act shall have
been declared, the word "Mayor" shall be construed to mean the
chief officer of a Borough, by whatever name he is now called;
25 or when there may be no such chief officer, the returning officer
at Elections of Members to serve in Parliament for such Borough;
or when there may be neither any such chief officer or returning
officer, then such Person as the Lord Lieutenant for the time being
shall, by writing under his hand, appoint to perform the duty of
Mayor under the provisions herein contained; and, in describing
30 any person or thing, any word importing the singular number shall
be construed to mean also several persons or things respectively,
unless there be something in the subject or context repugnant to
such construction; and that no misnomer or inaccurate description
of any Person, Body Corporate or Place named in any Schedule
35 to this Act annexed, or in any Burgess Roll, Ward List, Notice or
Voting Paper required by this Act, shall hinder the full operation of
this Act with respect to such Person or Place, provided that such
Person or Place shall be so named as to be commonly understood;
and in all cases where an oath or affidavit is required under this
40 Act, the affirmation or declaration of a Quaker, Moravian or Sepa-
ratist shall be accepted in lieu of such oath or affidavit.

163.
Interpreta-
tion Clause.

And be it Enacted, That this Act may be altered or amended by
any Act to be passed in this present Session of Parliament.

164.
Act may be
altered this
Session.

SCHEDULES to which this ACT refers.

SCHEDULE (A.)

PARLIAMENTARY BOUNDARIES to be taken.

BOROUGH.	Wards.	Aldermen.	Councillors.	STYLE OF CORPORATE BODY.
BELFAST - -	5	10	30	The Sovereign, Free Burgesses and Commonalty of the Borough of Belfast.
CLONMEL - -	3	6	18	The Mayor, Free Burgesses and Commonalty of the Town of Clonmel.
CORK - - -	8	16	48	The Mayor, Sheriffs and Commonalty of the City of Cork.
DROGHEDA - -	3	6	18	The Mayor, Sheriffs, Burgesses and Commonalty of the County of the Town of Drogheda.
DUBLIN - -	16	16	48	The Right honourable the Lord Mayor, Sheriffs, Commons and Citizens of the City of Dublin.
GALWAY - -	5	10	30	The Mayor, Sheriffs, Free Burgesses and Commonalty of the Town and County of the Town of Galway.
KILKENNY - -	3	6	18	{ The Mayor and Citizens of the City of Kilkenny. The Portreeve, Burgesses and Commons of the Borough or Town of Irishtown.
LIMERICK - -	5	10	30	The Mayor, Sheriffs and Citizens of the City of Limerick.
LONDONDERRY -	3	6	18	The Mayor, Commonalty and Citizens of Londonderry.
SLIGO - - -	3	6	18	The Provost, Free Burgesses and Commonalty of the Borough of Sligo.
WATERFORD -	5	10	30	The Mayor, Sheriffs and Citizens of County of the City of Waterford, in the Kingdom of Ireland.

SCHEDULE (B.)

SECTION 1.—PARLIAMENTARY BOUNDARIES to be taken.

BOROUGH.	Wards.	Aldermen.	Councillors.	STYLE OF CORPORATE BODY.
ARMAGH - - -	-	6	18	The Sovereign, Free Burgesses and Commonalty of the Borough of Armagh.
ATHLONE - - -	-	6	18	The Sovereign, Bailiffs, Burgesses and Freemen of the Town of Athlone.
BANDON - - -	-	6	18	The Provost, Free Burgesses and Commonalty of the Borough of Bandon Bridge.
CARLOW - - -	-	6	18	The Sovereign, Free Burgesses and Commonalty of the Borough of Catherlagh.
CARRICKFERGUS -	-	6	18	The Mayor, Sheriff, Burgesses and Commonalty of the Town of Carrickfergus.
CASHEL - - -	-	6	18	The Mayor, Aldermen, Bailiffs, Citizens and Commons of the City of Cashel.
COLERAINE - - -	-	4	12	The Mayor, Aldermen and Burgesses of the Town of Coleraine.
DUNDALK - - -	-	6	18	The Bailiff, Burgesses and Commonalty of the Borough of Dundalk.
DUNGANNON - - -	-	4	12	The Provost, Free Burgesses and Commons of the Borough of Dungannon.
ENNIS - - -	-	6	18	The Provost, Free Burgesses and Commonalty of the Town of Ennis.
ENNISKILLEN - -	-	4	12	The Portreeve, Free Burgesses and Commonalty of the Borough of Enniskillen.
KINSALE - - -	-	6	18	The Sovereign, Burgesses and Commonalty of the Town of Kinsale.
NEW ROSS - - -	-	4	12	The Sovereign and Burgesses of New Ross.
PORTARLINGTON -	-	4	12	The Sovereign, Bailiffs and Burgesses of the Borough and Town of Portarlington.
TRALEE - - -	-	6	18	The Provost, Free Burgesses and Commonalty of the Borough of Tralee.
WEXFORD - - -	-	6	18	The Mayor, Bailiffs, Free Burgesses and Commonalty of the Town or Borough of Wexford.
YOUGHAL - - -	-	6	18	The Mayor, Bailiffs, Burgesses and Commonalty of the Town of Youghal.

SECTION 2.—ANCIENT BOUNDARIES to be taken.

BOROUGH.	Wards.	Aldermen.	Councillors.	STYLE OF CORPORATE BODY.
ARDEE - - -	-	4	12	The Portreeve, Burgesses and Commons of the Corporation of Atherdee.
ATHY - - -	-	4	12	The Sovereign, Bailiffs, Free Burgesses and Commonalty of the Borough of Athy.
BOYLE - - -	-	4	12	The Borough Master, Free Burgesses and Commonalty of the Borough of Boyle.
CALLAN - - -	-	4	12	The Sovereign, Burgesses and Freemen of Callan.
CHARLEVILLE -	-	4	12	The Sovereign, Bailiffs and Burgesses of the Borough of Charleville.
CLOGHNAKILTY -	-	4	12	The Sovereign, Free Burgesses and Commonalty of the Borough of Cloghnakilty.
DINGLE - - -	-	4	12	The Sovereign, Burgesses and Commonalty of the Town of Dingle-i-couch.
ENNISCORTHY -	-	4	12	The Portreeve, Free Burgesses and Commonalty of the Borough of Enniscorthy.
FETHARD - - -	-	4	12	The Sovereign, Chief Burgesses, Portreeve and Freemen of the Town of Fethard.
GOREY - - -	-	4	12	The Sovereign, Burgesses and Free Commons of the Borough and Town of Newborough.
KELLS - - -	-	4	12	The Sovereign, Provosts, Burgesses and Commonalty of the Borough of Kells.
LONGFORD - - -	-	4	12	The Sovereign, Bailiffs and Burgesses of the Borough of Longford.
MARYBOROUGH -	-	4	12	The Burgomaster, Bailiffs, Burgesses and Commonalty of Maryborough.
MONAGHAN - - -	-	4	12	The Provost, Free Burgesses and Commonalty of the Borough of Monaghan.
NAAS - - -	-	4	12	The Sovereign, Provost, Burgesses and Commonalty of Naas.
NAVAN - - -	-	4	12	The Portreeve, Burgesses and Freemen of the Town or Borough of Navan.
STRABANE - - -	-	4	12	The Provost, Free Burgesses and Commonalty of the Town of Strabane.
TRIM - - -	-	4	12	The Portreeve, Burgesses and Freemen of Trim.
TUAM - - -	-	4	12	The Sovereign, Free Burgesses and Commonalty of the Borough of Tuam.

SCHEDULE (C.)

No. 1.

THE LIST OF BURGESSES of the Borough of
[or, in the Parish or Precinct, or Ward of in the
Borough of .]

Christian Name and Surname of each Person at full length.	Street, Lane or other Place in this Borough, [or, Parish, Precinct or Ward in this Borough], where the Property in respect whereof the Party is to be enrolled, is situate.
Andrews, Peter - - - - -	No. 1, Green-street.
Brady, Thomas - - - - -	No. 3, White's-lane.

Dated the day of in the year
(signed) A. B.
Churchwarden of the said Parish [or, Town Clerk of the
said Borough, or, Alderman of the said Ward, &c.]

No. 2.

NOTICE OF CLAIM.

To the Town Clerk of the Borough of

I HEREBY give you Notice, That I claim to have my Name enrolled in the Burgess Roll
of the Borough of , and that I occupy [here describe the House, Ware-
house, Counting-house or Shop then occupied by the Claimant] in the said Borough, of
the full yearly value of Pounds or upwards, and that I have occupied the said
Premises [or, the said Premises or other Premises, describing such other Premises, within
the said Borough] for the space of last past.

Dated the day of in the year
(signed) HENRY STILES.

No. 3.

NATURE OF OBJECTION.

To the Town Clerk of the Borough of

I HEREBY give you Notice, That I object to the name of Thomas Brady, of White's-lane,
in this Borough, [describe the Person objected to as described in the List of the Church-
wardens, Town Clerk or Alderman of the Ward, &c.] being retained on the Burgess Roll
of the Borough of

Dated the day of in the year
(signed) MICHAEL MEARES, of [here state the Place of Abode and
Property in respect of which he
is said to be entitled to be en-
rolled in the List of the Church-
wardens, Town clerk or Alderman
of the Ward, &c.]

No. 4.

LIST OF CLAIMANTS.

THE following Persons claim to have their Names inserted on the Burgess Roll of the Borough of

Christian Name and Surname of each Claimant.	Present Occupancy.	Former Occupancy, as stated in the Claim.
Henry Stiles - - - -	-- House, No. 10, Capel-street.	-- Shop, No. 17, Henry-street, during the last month, and House, No. 6, Aston's Quay, during the five preceding months.

Dated the day of in the year
(signed) A. B. Town Clerk.

No. 5.

LIST OF PERSONS OBJECTED TO.

THE following Persons have been objected to as not being entitled to have their Names retained on the Burgess Roll of the Borough of

Christian Name and Surname of each Person objected to.	Property in respect of which he is said to be entitled to be enrolled in the List of the Churchwardens, Town Clerk or Alderman of the Ward, &c.
Thomas Brady - - - -	No. 3, White's Lane.

Dated the day of in the year
(signed) A. B. Town Clerk.

SCHEDULE (D.)

- BELFAST** - - - - - -- An Act for paving, cleansing, and lighting and improving the several Streets, Squares, Lanes and Passages, within the Town of Belfast, in the County of Antrim, and for removing and preventing all Encroachments, Obstructions and Annoyances therein; and also for establishing and maintaining a Nightly Watch throughout the said Town and Precincts thereof, and for other purposes.
[40 Geo. 3, c. 37.]
- An Act to explain and amend an Act of His present Majesty, for paving, cleansing, lighting and otherwise improving the Town of Belfast, in the County of Antrim, and for better effecting those purposes.
[56 Geo. 3, c. 57.]
- CORK** - - - - - -- An Act for the Regulation of the City of Cork, and for other purposes therein mentioned, relative to the said City.
[12 Geo. 3, c. 18.]
- An Act for the better Regulation of the Police of the City of Cork, and for other purposes relative to the said City.
[17 & 18 Geo. 3, c. 38.]
- An Act for the more equal Assessment of Money presented to be raised by the Grand Jury of the County of the City of Cork, and for a new Valuation of the said City, and Survey of the Liberties thereof; and for other purposes relative to Grand Juries.
[53 Geo. 3, c. 111.]
- An Act to explain and amend an Act of His present Majesty, for the more equal Assessment of Money presented to be raised by the Grand Jury of the County of the City of Cork, and for a new Valuation of the said City, and Survey of the Liberties thereof; and for other purposes relative to Grand Juries.
[55 Geo. 3, c. 82.]
- DROGHEDA** - - - - - -- An Act for the better regulating the Parish Watches, and amending the Highways in this Kingdom, and for preventing the misapplication of Public Money.
[6 Geo. 1, c. 10.]
- An Act for continuing and amending an Act, intituled, "An Act for the better regulating the Parish Watches, and amending the Highways in this Kingdom, and for preventing the misapplication of Public Money;" and also for establishing a regular Watch in the City of Dublin, and to prevent Mischiefs which may happen by graving Ships in the River Liffey.
[10 Geo. 1, c. 3.]
- An Act for continuing and amending an Act, intituled, "An Act for the better regulating the Parish Watches, and amending Highways in this Kingdom, and for preventing the misapplication of Public Money; and also for establishing a regular Watch in the City of Dublin, and to prevent Mischief which may happen by graving Ships in the River Liffey;" and also for regulating the Watch in the Town of Drogheda.
[5 Geo. 3, c. 22.]
- LIMERICK** - - - - - -- An Act for paving, cleansing, lighting and watching the Parish of St. Michael, in the Liberties of the City of Limerick, and adjoining the said City, and for preventing and removing Nuisances therein.
[47 Geo. 3, Sess. 2, c. 75.]
- An Act for altering and enlarging the powers of an Act of His present Majesty, for paving, cleansing, lighting and watching the Parish of St. Michael, in the Liberties of the City of Limerick, and adjoining the said City, and for preventing and removing Nuisances therein.
[51 Geo. 3, c. 104.]

LONDONDERRY

-- An Act for building a Bridge over the River Lough Foyle, at the City of Londonderry, and the Suburbs thereof, and for certain Regulations relative to said City. [30 Geo. 3, c. 31.]

An Act for amending an Act passed in the thirtieth year of His Majesty's reign, intituled, "An Act for building a Bridge over Lough Foyle, at the City of Londonderry, and the Suburbs thereof, and for certain Regulations relative to said City.

[40 Geo. 3, c. 41.]

An Act to amend two Acts, so far as relate to supplying the City of Londonderry with Water, improving the Harbour of the said City, and the Regulation of Pilots and Vessels using the same; and for extending the Jurisdiction of the Court held in the said City for the recovery of Small Debts.

[48 Geo. 3, c. 136.]

An Act for rebuilding or repairing a Bridge across the River Foyle or Lough Foyle at Londonderry; for enabling the Corporation of that City to raise Money for that purpose; to authorize the advance of a certain Sum of Money out of the Consolidated Fund of Ireland; and for regulating the Fairs and Markets, and improving the Race Course there.

[54 Geo. 3, c. 230.]

An Act to amend an Act of the thirtieth year of his late Majesty, for lighting and improving the City of Londonderry.

[5 Geo. 4, c. 152.]

An Act to amend several Acts relating to the City of Londonderry.

[6 Geo. 4, c. 180.]

An Act to make more effectual Provisions for lighting, cleansing and watching the City of Londonderry, and to amend several Acts relating to the said City.

[2 & 3 Will. 4, c. 107.]

SLIGO - - - -

-- An Act for repealing so much of an Act made in the third year of the reign of King GEORGE the Second, intituled, "An Act for cleansing the Ports, Harbours and Rivers of the City of Cork, and of the Towns of Galway, Sligo, Drogheda and Belfast, and for erecting a Ballast Office in the said City, and each of the said Towns, as relates to the Port and Harbour of the Town of Sligo;" and for repealing an Act made in the fortieth year of the reign of His present Majesty, intituled, "An Act for paving, cleansing, lighting and improving the Streets, Quays, Lanes and Passages, in the Town of Sligo, in the County of Sligo; for establishing a Nightly Watch in the said Town; for supplying the said Town with Pipe Water; and for improving and regulating the Port and Harbour thereof; and for making better Provision for the paving, lighting, watching, cleansing and improving of the said Town of Sligo; and for regulating the Porters and Carmen employed therein; and for the better Regulation and Improvement of the Port and Harbour thereof."

[43 Geo. 3, c. 60.]

WATERFORD -

-- An Act for better regulating the Police of the City of Waterford

[23 & 24 Geo. 3, c. 52.]

SCHEDULE (E.)

No. 1.

FORM of PROCESS of ATTACHMENT of GOODS in COURT of RECORD.

Borough of L. to wit. A. B., of, &c. in, &c. [Name, Residence and Addition of Plaintiff.] Plaintiff. C. D. of, &c. in, &c. [Name, Residence and Addition of Defendant.] Defendant.	ATTACH the Defendant by his Goods and Chattels, if found within the jurisdiction of this Court, so that he be before the Recorder of the said Borough at _____ on _____ day, the _____ day of _____ next after the date hereof, to answer the Plaintiff's Suit in an Action for the Sum of [here insert the amount of the Demand], for [here insert the cause of Action], and have you then there this Writ.
---	--

Dated this _____ day of _____ One thousand eight hundred _____

G. H. Registrar.

To _____

No. 2.

FORM of SUMMONS in COURT of CONSCIENCE.

Borough of L. to wit. A. B. of, &c. in, &c. [Name, Residence and Addition of Plaintiff.] Plaintiff. C. D. of, &c. in, &c. [Name, Residence and Addition of Defendant.] Defendant.	BY the President of the Court of Conscience for the said Borough: The Defendant is hereby required personally to appear before the said President at _____ on _____ day, the _____ day of _____ next after the date hereof, to answer the Plaintiff's Suit for the Sum of [here insert the amount of the Debt], for [here insert the particulars of the Demand]. On default thereof, the said President will proceed as to justice shall appertain.
--	---

Dated this _____ day of _____ One thousand eight hundred _____

Signed on behalf of the Plaintiff, }

*Municipal Corporations,
(Ireland.)*

(Ireland.)

A

B I L L

[AS AMENDED ON RE-COMMITMENT]

For the Regulation of Municipal Corporations
and Borough Towns in Ireland.

*(Prepared and brought in by
Lord John Russell and Lord Viscount Morpeth.)*

*Ordered, by The House of Commons, to be Printed,
6 June 1838.*

[Price 1s.]

91



(Ireland.)

A

B I L L

[AS AMENDED ON SECOND RE-COMMITMENT]

For the Regulation of Municipal Corporations and Borough Towns in Ireland.

[N.B.—*The Clauses marked (A.) to (R.) were added in the Committee, (S.) on the Re-commitment, and (T.) (U.) on the Second Re-commitment.*]

5 **W**H **E**R **E**A **S** divers Bodies Corporate at sundry times have
been constituted within the Cities, Towns and Borough
of Ireland, to the intent that the same might for ever be and remain
well regulated and quietly governed; and it is expedient that the
Charters by which several of the said Bodies Corporate are con-
stituted should be altered in the manner hereinafter mentioned; **B**E
it therefore Enacted, by The QUEEN's most Excellent MAJESTY, by
and with the Advice and Consent of the Lords Spiritual and Tem-
poral, and Commons, in this present Parliament assembled, and by
10 the Authority of the same, THAT so much of all Laws, Statutes
and Usages, and so much of all Royal and other Charters, Grants
and Letters Patent, Rules, Orders and Directions now in force, re-
lating to the several Boroughs named in the Schedules (A.) and
(B.) to this Act annexed, or to the Inhabitants thereof, or to the
15 several Bodies or reputed or late Bodies Corporate named in the
said Schedules, or any of them, as is inconsistent with or contrary
to the provisions of this Act, shall be and the same is hereby
Repealed and Annulled.

Preamble.

20 And be it Enacted, That every Person who now is or hereafter
may be an inhabitant of any Borough, and also every Person who
has been admitted or who might hereafter have been admitted a Free-
man or Burgess of any Borough, if this Act had not been passed, or
who now is or hereafter may be the wife or widow or son or daughter
of any Freeman or Burgess, or who may have espoused or may
hereafter espouse the daughter or widow of any Freeman or Burgess,

1.
Repeal of all
Acts, Char-
ters and Cus-
toms incon-
sistent with
this Act.

2.
Reservation
of all rights
of property
and beneficial
exemptions to
Freemen,
their Wives
and Children.

or who has been or may hereafter be bound an Apprentice, shall have
 and enjoy and be entitled to acquire and enjoy the same share and
 benefit of the lands, tenements and hereditaments, and of the rents
 and profits thereof, and of the common lands and public stock of
 any Borough or Body Corporate, and of any lands, tenements and
 hereditaments, and any sum or sums of money, chattels, securities
 for money, or other personal estate, of which any Person or any Body
 Corporate may be seised or possessed in whole or in part for any
 charitable uses or trusts, as fully and effectually, and for such time and
 in such manner, as he or she by any statute, charter, bye-law or custom
 in force at the time of passing this Act, might or could have had,
 acquired or enjoyed in case this Act had not been passed: Provided
 always, That the total amount to be divided amongst the Persons whose
 rights are herein reserved in this behalf shall not exceed the surplus
 which shall remain after payment of the interest of all lawful debts
 chargeable upon the real or personal estate out of which the sums
 so to be divided have arisen, together with the salaries of Municipal
 Officers, and all other lawful expenses which on the Fifth day of
 June One thousand eight hundred and Thirty-five, were defrayed out
 of or chargeable upon the same: Provided also, That nothing herein-
 before contained shall be construed to apply to any claim, right or
 title of any Burgesses or Freemen, or of any Person, to any dis-
 charge or exemption from any tolls or dues levied wholly or in part
 by or to the use or benefit of any Borough or Body Corporate; and
 that after the passing of this Act no Person shall have or be entitled
 to claim thenceforward any discharge or exemption from any tolls or
 dues lawfully levied in whole or in part by or to the use of any Body
 Corporate, except as hereinafter is excepted: Provided nevertheless,
 That every Person who, on the said Fifth day of June One thousand
 eight hundred and Thirty-five, was an inhabitant, or was or was entitled
 to be admitted a Freeman or Burgess of any Borough, or who on the
 said Fifth day of June was the wife or widow, son or daughter of any
 Freeman or Burgess of any Borough, or who on the said Fifth day
 of June was bound an Apprentice, shall be entitled to have or acquire
 and enjoy the same discharge or exemption from any tolls or dues
 lawfully levied in whole or in part by or to the use of any Borough
 or Body Corporate, as fully and for such time and in such sort as he
 or she, by any statute, charter, bye-law or custom in force on the
 said Fifth day of June, might or would have had, acquired and en-
 joyed the same if this Act had not been passed, and no further or
 otherwise: Provided also, That where, by any statute, charter, bye-
 law or custom in force within any Borough at the time of passing
 this Act, any Person whose rights in this behalf are herein reserved
 would have been liable in case this Act had not been passed to pay
 any fine, fee or sum of money to any Body Corporate, or to any
 member, officer or servant of any Body Corporate, in consideration
 of

of his Freedom, or of his or her title to such rights as are herein reserved, no such Person shall be entitled to have or claim any share or benefit in respect of the rights herein reserved as aforesaid until he or she shall have paid the full amount of such fine, fee or sum of money to the Treasurer of such Borough, appointed under the provisions of this Act, on account of the Borough Fund hereinafter mentioned: Provided also, That nothing in this Act contained shall be construed to entitle any Person to any share or benefit of the rights herein reserved who shall not have first fulfilled every condition which, if this Act had not passed, would have been a condition precedent to his or her being entitled to the benefit of such rights, so far as the same is capable of being fulfilled according to the provisions of this Act, or to strengthen, confirm or affect any claim, right or title of any Burgesses or Freemen of any Borough or Body Corporate, or of any Person, to the benefit of any such rights as are hereinbefore reserved, but the same in every case may be brought in question, impeached and set aside in like manner as if this Act had not been passed.

And be it Enacted, That from and after the passing of this Act, no Person shall be elected, made or admitted a Burgess or Freeman of any Borough by gift or purchase.

3.
No Person to
be admitted
a Freeman
by Gift or
Purchase.

And be it Enacted, That after the first election of Councillors under this Act in any Borough, the Body, or reputed or late Body Corporate, named in the said Schedules in connexion with such Borough, or if there be no such Body Corporate, the Inhabitants of such Borough, qualified as hereinafter mentioned, shall take and bear the name of the Mayor, Aldermen and Burgesses of such Borough, except the Corporation of Dublin, which shall bear the name of the Right Honourable the Lord Mayor, Aldermen and Burgesses of Dublin, and by those names shall have perpetual succession, and shall be capable in law, by the Council hereinafter named of such Borough, to do and suffer all acts which such Bodies Corporate lawfully may do and suffer, and shall be entitled to, invested with, and possessed of all the lawful rights, trusts, properties and estates, now or of late legally vested in or belonging, or which of right ought to belong to such Boroughs or Bodies Corporate respectively, solely or jointly with any other person or body corporate, save only and except those vested in the Charitable Trustees of such Boroughs, pursuant to the provisions hereinafter contained; and the Mayor of each of the said Boroughs shall be capable in law to do and suffer all acts which the chief officer of such Borough might or may lawfully do and suffer, so far as such powers, rights, trusts and privileges respectively are not altered or annulled by the provisions of this Act.

4.
Corporations
to be styled
Mayor, Alder-
men and Bur-
gesses.

5.
Boundaries
of certain
Boroughs to be
those settled
by 2 & 3 W. 4.
cap. 89;

And be it Enacted, That the Metes and Bounds of the several
Boroughs named in the said Schedule (A.) and in the first section
of the said Schedule (B.), from and after the time when this
Act shall come into operation in each of the said Boroughs re-
spectively, shall, for the purposes of this Act, be the same as the
limits thereof respectively settled and described in an Act passed in
the Session of Parliament holden in the second and third years of
the reign of his late Majesty King WILLIAM the Fourth, intituled,
“ An Act to settle and describe the Limits of Cities, Towns and
Boroughs in Ireland, in so far as respects the Election of Members
to serve in Parliament;” and the Metes and Bounds of the several
Boroughs named in the second section of the said Schedule (B.)
shall, for the purposes of this Act, be and remain as the same are
now taken to be by virtue of any charter or usage, until such time
as Parliament shall otherwise direct.

Boundaries
of other
Boroughs to
remain un-
altered.

6.
Occupiers of
Houses and
Shops rated
as of the
value of 5 *l.*
entitled to be
Burgesses, if
resident
within Seven
Miles.

And be it Enacted, That after this Act shall have come into
operation in any Borough named in the said Schedules, every man
of full age, who on the last day of August in any year shall be an
inhabitant householder, and shall for Six calendar Months previous
thereto have been resident within such Borough, or within Seven
Statute Miles of such Borough, and who shall hold and occupy within
such Borough any house, warehouse, counting-house, office or shop,
which either separately or jointly with any land within such Borough,
occupied therewith by him as tenant, or occupied therewith by him
as owner, shall be rated to the relief of the poor as of the net annual
value of Five Pounds or upwards; that is to say, as being heredita-
ments which, in their actual state, may be reasonably expected to let
from year to year at Five Pounds or upwards, all rates, taxes and public
charges, if any, (except tithes, composition for tithes or minister's
money,) and the probable annual average cost of there pairs, insurance
and other expenses (if any) necessary to maintain them in their
actual state, being paid by the tenant, shall, if duly enrolled accord-
ing to the provisions hereinafter contained, be a Burgess of such
Borough, and a Member of the Body Corporate of the Mayor,
Aldermen and Burgesses of such Borough: Provided always, That
no such occupier shall be admitted to be enrolled under this Act,
unless he shall have occupied such premises within said Borough,
or other premises of the like nature, within the said Borough, for
the space of Six calendar Months at the least next preceding such
enrolment; nor unless such occupier shall have paid or discharged
all municipal cesses and all rates and taxes (if any) which shall have
become legally due and payable by him in respect of such premises,
except such as shall have been imposed or become due within Three
calendar Months next before such enrolment: Provided also, That no
Person, being an alien, shall be so enrolled in any year, and that no
Person

Person shall be enrolled who within Twelve calendar Months next before the said last day of August shall have received any pension or charitable allowance from any fund intrusted to the Charitable Trustees of such Borough hereinafter mentioned, other than medical or surgical assistance; but no Person shall be disqualified from being enrolled as a Burgess by reason that any child of such Person shall have been admitted and taught within any public or endowed school.

And be it Enacted, That where any premises as aforesaid in any Borough shall be jointly occupied by more Persons than one as owners or tenants, each of such joint occupiers shall, subject to the conditions hereinbefore contained as to Persons occupying premises in any Borough, be entitled to be enrolled as a Burgess for such Borough, in respect of the premises so jointly occupied, in every case where the full yearly value of such premises shall be of an amount which, when divided by the number of such occupiers, shall give for each occupier a sum not less than the sum which would entitle such Person to be enrolled if he occupied separately, but not otherwise.

7.
CLAUSE (S.)
In cases where Persons occupy premises jointly, each person to be entitled to be enrolled as a Burgess.

And be it Enacted, That in every case provided in this Act the distance of Seven Miles shall be computed by the nearest public road or way by land or water.

8.
CLAUSE (A.)
How distances are to be reckoned.

And be it Enacted, That where any house, warehouse, office, counting-house or shop in any Borough shall come to any Person by descent, marriage, marriage settlement, devise, bequest or promotion to any benefice or office, such Person shall be entitled to reckon the holding and occupancy thereof by the Person from or by whom such house, warehouse, office, counting-house or shop shall have so come to him, as his own holding and occupancy, conjointly with the time during which he shall have since held and occupied the same, and shall be entitled to be enrolled a Burgess in respect of such successive holding and occupancy, provided he shall be otherwise qualified as herein provided; and it shall not be necessary in support of the title of such Person to be so enrolled to prove that he was an inhabitant householder within the said Borough, or within Seven Miles of the said Borough before the change of occupancy; and the rating in the name of the person previously occupying shall be considered a sufficient rating of the person so entitled, until a new rate shall be made subsequent to the change of occupancy: Provided always, That the other Person, in respect of whose previous occupancy and rating he shall be so partially entitled, shall have been enrolled a Burgess at the time of the change of occupancy.

9.
In case of Titles by descent, &c. how the occupancy is to be reckoned.

And be it Enacted, That if any Person who shall have been enrolled a Burgess of any Body Corporate within any Borough, according to the provisions of this Act, shall at any time thereafter cease to hold and occupy a house, warehouse, office, counting-

10.
Burgesses who cease to be occupiers within the Borough, or neglect to pay

their rates, to be omitted from the Burgess Roll, but may be restored at any subsequent revision of the Burgess Roll.

house or shop within the Borough, or cease to be an inhabitant householder within the same, or within Seven Miles thereof, or neglect or refuse to pay such cesses, rates and taxes as aforesaid, due from him at the time of the revision of the Burgess Roll, except as hereinbefore is excepted, his name shall at the then next revision of the Burgess Roll be struck out from the said Burgess Roll, and he shall thereupon cease to be a Burgess and member of the said Body Corporate: Provided nevertheless, That at any future revision of the Burgess Roll, he shall be entitled again to be and be enrolled a Burgess and member of the said Body Corporate, when he shall be duly qualified, as herein provided. 5 10

11.
No Burgess to be elected who is not qualified under this Act.

And be it Enacted, That after the passing of this Act, no Person shall be elected or enrolled a Burgess of any Borough for the purpose of enjoying the rights conferred for the first time by this Act, in respect of any right or title other than by residence, occupancy, and payment of cesses, rates and taxes within such Borough, according to the meaning and provisions of this Act. 15

12.
Persons who before the passing of this Act were entitled to vote for Members of Parliament, may still enjoy such right.

AND whereas the right of voting in the Election of Members to serve in Parliament was, by an Act passed in the Session of Parliament holden in the second and third years of the reign of his late Majesty, intituled, "An Act to amend the Representation of the People of Ireland," preserved to all Freemen, Freeholders and Persons who, by reason of any Corporate or other right, were then by law entitled to vote at the Election of a Member or Members to serve in Parliament for any City, Town or Borough, and all Persons who, by reason of birth, marriage or service, or of any statute then in force, should be at any time thereafter admitted to their Freedom in any City, Town or Borough, subject to the conditions and provisions in that Act contained; BE it Enacted, That every Person who, if this Act had not been passed, would have been entitled to enjoy, or might hereafter have been entitled to acquire in respect of birth or marriage or servitude, or of any statute then in force, as a Freeman, the right of voting in the Election of a Member or Members to serve in Parliament for any City, Town or Borough, shall be entitled to acquire and enjoy such right of voting as fully as if this Act had not been passed. 20 25 30 35

13.
CLAUSE (T.)
Persons voluntarily paying Cess, may recover the amount from their Landlords.

AND whereas it may happen that the cesses, rates and taxes, the payment of which is required by this Act, are or may be by virtue of contracts between the occupiers of such premises as are hereinbefore mentioned and the landlords thereof, payable as between such occupiers and landlords by some person other than such occupiers: AND whereas occupiers paying such cesses, rates and taxes voluntarily to the collectors thereof, notwithstanding such contracts, would not in some cases be entitled to recover or set off such payment against the persons who ought to have paid the same on their 40

their behalf, and who omitted to pay the same; BE it Enacted, That in all cases where the occupier of any premises hereinbefore mentioned liable to any cess, rate or tax whatsoever, the payment whereof is required by this Act for the purpose of entitling him to be enrolled a Burgess as aforesaid, shall have voluntarily paid any such cess, rate or tax which shall be then due and payable, such occupier shall be entitled to recover or set off the amount of such payment against the like persons and by the like means as if such payment had been made by legal compulsion.

14.
CLAUSE (U.)
Occupiers
may pay
cesses into
the Bank.

AND whereas it is expedient to provide greater facilities for the payment of such cesses, rates and taxes as aforesaid; BE it Enacted, That after the time when this Act shall come into operation in any borough in which the Bank of Ireland, or Provincial Bank of Ireland, or any branch thereof, shall be established, the several collectors of cesses, rates and taxes payable under any Act of Parliament now in force, or hereafter to be passed in that borough, the payment whereof is required by this Act for the purpose of entitling any person to be enrolled a Burgess as aforesaid, shall open accounts with one of such banks at their office in that Borough, in their respective names as such collectors, which accounts every such Bank upon application is hereby required to open and keep; and it shall be lawful to every person liable to pay any such cess, rate or tax to pay the same or so much thereof as he shall think fit into the Bank to the credit of any of the said accounts; and such payments shall be deemed to have been made to the collector to whose credit it was paid; and the proper officer of the Bank shall receive such payment, and give to the person making such payment a receipt signed by such officer, expressing the day and amount of such payment, the description of tax on account of which it was paid, the name of the person by whom paid, and of the collector to whose credit it was paid; which receipt shall not be liable to any stamp duty, and such receipt shall be evidence of the payment to the collector of the sum therein specified.

15.
Churchwardens of each Parish to make out Lists in the first year of Persons qualified as Burgesses in each Borough.

And be it Enacted, That on or before the Fifth day of September in the first year in which this Act shall come into operation in any Borough, the Churchwardens of every parish wholly or in part within such Borough, shall make out an alphabetical List, according to the Form Number 1 in the Schedule (C.) to this Act annexed, of all Persons, with their respective residences, who shall be entitled to be enrolled in the Burgess Roll according to the provisions of this Act, in respect of property within such Parish and Borough, and shall sign such List, and deliver the same, on the said Fifth day of September, to the Town Clerk; and shall keep a true copy of such List, to be perused by any Person without payment of any fee, at all reasonable hours between the said Fifth and the Fifteenth days of September aforesaid.

16.

Extra-paro-
chial Places,
&c.

And be it Enacted, That in any Borough in which there shall be no Town Clerk, or in which the Town Clerk shall be incapable of acting, all matters by this Act required to be done by or with regard to the Town Clerk, shall be done by and with regard to the Person executing duties in such Borough similar to those of Town Clerk ; 5
and if there be no such Person, or if such Person be incapable of acting, then by and with regard to such fit Person as the Mayor of such Borough shall appoint in that behalf ; and in extra-parochial places, and in Parishes where there is no Churchwarden, or where the Churchwarden may be absent or incapable of acting, the Lord 10
Lieutenant shall appoint, by writing under his hand, a proper person to perform the duty of Churchwarden under this Act, and the acts of such person shall be as valid as if done by a Churchwarden.

17.

Town Clerks
to make out
Lists in Bo-
roughs in fol-
lowing years.

And be it Enacted, That on or before the Fifth day of Sep-
tember in every year, except the first in which this Act shall come 15
into operation in any Borough, the Town Clerk of such Borough shall make out an alphabetical List, according to the said Form Number 1, in the Schedule (C.) to this Act annexed, of all persons who shall be entitled to be enrolled in the Burgess Roll of that year within such Borough, and shall sign such List, and shall on that day 20
deliver a true copy of such List, signed by himself, to the Mayor of such Borough, and shall himself keep such original List, to be perused by any person without payment of any fee, at all reasonable hours, between the Fifth and the Fifteenth days of September in every year.

18.

CLAUSE (D.)
Town Clerk
to print the
Lists.

And be it Enacted, That the Town Clerk shall forthwith cause 25
copies to be printed of all Lists so delivered to him by the Church-wardens in the first year, and of all Lists made out by himself, or under his direction in every succeeding year ; and shall deliver a copy of all such Lists to any Person requiring the same, on payment of a sum of One Shilling for each copy, and shall cause a copy of all such 30
Lists to be fixed on or near the outer door of the Town Hall, or in some public and conspicuous situation within the Borough, on every day during the Eight Days next preceding the Fifteenth day of September in every year.

19.

Persons omit-
ted from the
Lists to give
notice to the
Town Clerk.

And be it Enacted, That every Person whose name shall have been 35
omitted in any such List, and who shall claim to have his name inserted on the Burgess Roll, shall, on or before the Fifteenth day of September in every year, give notice thereof to the Town Clerk in writing, according to the Form Number 2, in the said Schedule (C.), or to the like effect ; and every Person whose name shall have been 40
inserted in any such List for any Borough may object to any other Person as not being entitled to have his name retained in the Burgess Roll for the same Borough ; and every Person so objecting shall,

Notices as to
Persons not
entitled to be
retained in the
Lists.

shall, on or before the Fifteenth day of September in every year, give to the Town Clerk of such Borough, and also to the Person objected to, or leave at the premises in respect of which his name shall have been inserted in such List, notice thereof in writing, according to the
 5 Form Number 3, in the said Schedule (C.), or to the like effect; and every Town Clerk shall include the names of all Persons so claiming in a List, according to the Form Number 4, in the said Schedule (C.); and the names of all Persons so objected to in a List, according to the Form Number 5, in the said Schedule (C.),
 10 and shall cause copies of such Lists to be fixed on or near the outer door of the Town Hall, or in some public and conspicuous situation within such Borough, during the Eight Days next preceding the First day of October in every year; and the Town Clerk shall likewise keep a copy of the names of all the Persons so claiming as
 15 aforesaid, and also a copy of the names of all Persons so objected to as aforesaid, to be perused by any Person without payment of any fee, at all reasonable hours, during the Eight Days, Sunday excepted, next preceding the First day of October in every year; and shall deliver a copy of each of such Lists to any Person requiring the
 20 same, on payment of a sum not exceeding One Shilling for each copy.

Lists of Claimants, and of Persons objected to, to be published, &c.

20.

And be it Enacted, That it shall be lawful for the Lord Lieutenant of Ireland to appoint, by warrant under his hand, so many Barristers of not less than Five Years' standing at the bar, as he shall think fit, to revise the List of Burgesses in any Borough, in
 25 the first year in which this Act shall come into operation in that Borough; and the Barrister so appointed shall for that purpose be in the place and stead of the Mayor and Assessors hereinafter mentioned of such City, Town or Borough, and shall revise the List of Burgesses, and have for that purpose all such powers as the Mayor
 30 or Mayors and Assessors will possess in the succeeding years.

CLAUSE (E.).
 Lord Lieutenant may appoint Revising Barrister for the present Year.

And be it Enacted, That in the first year in which this Act shall come into operation in any Borough, the Barrister appointed as aforesaid, and in every succeeding year the Mayor and the Two Assessors of the Borough hereinafter mentioned, shall hold an
 35 open Court within such Borough, for the purpose of revising the said Lists, at some time between the First day of October inclusive, and the Fifteenth day of October inclusive, in every year, having first given Three clear Days' notice of the holding of such Court, to be fixed on or near the door of the Town Hall, or in some public and conspicuous situation within the Borough; and the Town
 40 Clerk of every such Borough shall, at the opening of the Court, produce the said Lists before him or them, and a copy of the Lists of the Persons claiming and of the Persons objected to, so made out as aforesaid; and the several Churchwardens for the present year of every Parish wholly or in part within every such Borough, shall attend

21.
 Mayor to revise Lists, and upon due proof to insert and expunge Names.

the Court to be holden in this present year; and such Town Clerk and Churchwardens respectively shall answer upon oath all such questions as the Court may put to them, or any of them, touching any matter necessary for revising the said Lists; and the Mayor or Barrister, as the case may be, shall insert in such Lists the name of every Person who shall be proved, to the satisfaction of the Court, to be entitled to be enrolled in the Burgess Roll, according to the provisions of this Act; and shall retain on the said Lists the names of all Persons to whom no objection shall have been duly made and sustained; and where the name of any Person inserted in any one of the said Lists shall have been duly objected to, and the Person objecting shall appear by himself, or by some one on his behalf, in support of such objection, the Court shall require proof of the qualification of the Person so objected to; and in case the qualification of such Person shall not be proved to the satisfaction of the Court, the Mayor or Barrister, as the case may be, shall expunge the name of every such Person from the said Lists; and he shall also expunge from the said Lists the name of every Person who shall be proved to be dead, and shall correct any mistake or supply any omission which shall be proved to have been made in any of the said Lists in respect to the name or place of abode, or local description of the property of any Person who shall be included in any such List: Provided always, That no Person's name shall be inserted by the Mayor or Barrister in any such List, or shall be expunged therefrom, except in the case of death, unless notice shall have been given as is hereinbefore required in each of the said cases: Provided also, That no ground of objection shall be inquired into at any such Court other than is stated in some notice so given as afore-said: Provided also, That the fact of the name of any person having been on the Burgess Roll of the preceding year shall be *primâ facie* evidence of his title to be enrolled for the current year.

Power to rectify mistakes in the Lists.

22.
Mayor, on revising the Lists, to have power of adjourning, of administering Oaths, &c.; and shall settle and sign the Lists in open Court.

And be it Enacted, That every Mayor or Barrister holding any Court under this Act for the revision of the said Lists shall have power to adjourn the same from time to time, so that no such adjourned Court shall be held after the Fifteenth day of October in any year, and shall have power to require any High Constable, Churchwarden or other Person authorized to applot, collect or levy any cess, rate or tax, within the Borough, or within any Parish wholly or in part within the Borough, or other Person or Persons having the custody of any book of applotment or rate or valuation, to produce the same, and allow the same to be inspected at any Court to be held for revision of the Burgess Roll, and shall have power to administer an Oath to the Town Clerk and Churchwardens, and to all Persons claiming to be inserted in or making objection to the omission or insertion of any name in the said Lists, and to all Persons objected to in any of such Lists, and to all Per-

sons

sons claiming to have any mistake in any such Lists corrected, and to all Witnesses who may be tendered or examined on either side; and if any Person taking any oath or making any affirmation under this Act shall wilfully swear or affirm falsely, such Person shall be deemed guilty of Perjury, and shall be punished accordingly; and the Mayor and Assessors or Barrister shall, upon hearing in open Court, determine upon the validity of such claims and objections; and the Mayor or Barrister shall, in open Court, write his initials against the names respectively struck out or inserted, and against any part of the said Lists in which any mistake shall have been corrected, and shall sign his name to every page of the several Lists so settled.

And be it Enacted, That the Lists so revised and signed as last aforesaid shall be delivered by the Mayor or Barrister to the Town Clerk of such Borough, who shall keep the same, and shall cause the said Lists to be fairly and truly copied into one general Alphabetical List in a book to be by him provided for that purpose, with every name therein numbered, beginning the numbers from the first name, and continuing them in a regular series to the last name, and shall cause such book to be completed on or before the Twenty-second day of October in every year, and shall deliver such book, together with the Lists, at the expiration of his office, to the Person succeeding him in such office; and every such book shall be the Burgess Roll of the Burgesses of such Borough entitled to vote after the passing of this Act in the choice of the Aldermen and Councillors, Assessors and Auditors of such Borough as hereinafter mentioned, at any election which may take place in such Borough between the Twenty-fifth day of October inclusive, in the year wherein such Burgess Roll shall have been made, and the Twenty-fifth day of October in the succeeding year, or until a New Burgess Roll shall have been made.

23.
Borough List to be kept by the Town Clerk, and copied into Books, with the Names numbered.

Such Book to be the Register of Voters; from which Election shall be made.

And be it Enacted, That no Stamp Duty shall be payable in respect of the admission, registry or enrolment of any Burgess, according to the provisions of this Act.

24.
CLAUSE (F.)
No Stamp Duty payable on enrolment.

And be it Enacted, That if any such Mayor or Assessor shall wilfully and corruptly disallow the claim of any Person who shall be duly entitled, or wilfully and corruptly allow the claim of any Person who shall not be duly entitled to be enrolled on the Burgess Roll, or if any such Mayor shall wilfully and corruptly expunge the name of any Person duly entitled, or wilfully and corruptly insert or retain in such List the name of any Person who shall not be duly entitled to be enrolled on such Burgess Roll, every Mayor or Assessor so offending shall be liable to be sued by way of Civil Bill in an

25.
Penalty for wilfully and corruptly expunging or not inserting any Name.

Mayor, Town
Clerk or
Churchwarden
neglecting
duty, guilty
of a Misdemeanor.

action of debt for the penal sum of Ten Pounds for every name so wilfully and corruptly allowed, disallowed, expunged, inserted or retained, at the suit of any Burgess of the said Borough who shall sue for the same in the Court of the Assistant Barrister, Chairman or Recorder having jurisdiction, by way of Civil Bill, within such Borough; and the Defendant in such Action respectively, being convicted, shall pay such penal sum so awarded, with full costs of suit, to the party who may sue for the same; and if any Mayor, Town Clerk or Churchwarden shall wilfully neglect to make out such Lists, or wilfully omit the name of any Person which ought to be inserted thereon, or wilfully insert in or retain on such Lists the name of any Person which ought not to be inserted thereon, or wilfully neglect or refuse to perform the duties or any part thereof by this Act imposed upon him or them respectively, he shall be deemed guilty of a Misdemeanor, and may be indicted and punished accordingly.

26
Copies of
Burgess Roll
to be made
for sale.

And be it Enacted, That the Town Clerk of every Borough shall cause to be written or printed copies of the Burgess Roll in every year, and shall deliver such copies to all Persons applying for the same, on payment of a reasonable price for each copy; and the monies arising from the sale thereof, and of the Churchwardens' and Town Clerks' Lists, and of the Lists of claims and objections as aforesaid, shall be paid over to the Treasurer of such Borough, and shall be applied by him in aid of the Borough Fund hereinafter mentioned; and the Town Clerk of every Borough shall, on or before the First day of December next, after this Act shall come into operation in that Borough, make out a List, to be called "The Freemen's Roll," of all Persons who at the time of the passing of this Act shall have been admitted as Freemen of such Borough; and that whenever any Person shall become entitled to be admitted a Freeman of such Borough in respect of birth, servitude or marriage, and shall claim to be admitted accordingly, the Mayor of such Borough shall examine into such Claim, and upon such Claim being established, every such person shall thereupon be admitted and enrolled by the Town Clerk of such Borough upon the said Roll; and the Town Clerk shall keep a true copy of such Roll, to be perused by any person, without payment of any fee, at all reasonable times, and shall deliver a copy thereof to any person requiring the same, on payment of a reasonable price for such copy.

27.
Expenses of
Lists, how to
be defrayed.

And be it Enacted, That the Council of every Borough shall take an account of the reasonable expenses incurred in carrying into effect the several provisions of this Act, so far as relates to the said Lists, and shall order the Treasurer of the said Borough to pay the same out of the Borough Fund of the said Borough.

And

Mayor, Aldermen and Councillors to be chosen in every Borough.

And be it Enacted, That in every Borough shall be elected, at the time and in manner hereinafter mentioned, one fit person who shall be and be called "The Mayor" of such Borough, and a certain number of fit Persons who shall be and be called "The Aldermen" of such Borough; and a certain number of other fit Persons who shall be and be called "The Councillors" of such Borough; and the number of Persons to be so elected Aldermen and Councillors of such Borough shall be the number of Persons in that behalf mentioned in conjunction with the name of such Borough in the Schedules (A.) and (B.) to this Act annexed; and such Mayor, Aldermen and Councillors for the time being, or so many of them as shall at any time be elected and have accepted the offices, shall be and be called the Council of such Borough.

Who not qualified to be chosen Mayor Alderman or Councillor.

And be it Enacted, That no Person being in Holy Orders, or being the regular Minister of any Dissenting Congregation, shall be qualified to be elected, or to be a Councillor or an Alderman of any Borough, nor shall any Person be qualified to be elected or to be a Councillor or an Alderman of any Borough named in said Schedule (A.) to this Act annexed, who shall not be entitled to be on the Burgess List of such Borough, nor unless he shall be seised or possessed of real or personal estate, or of both, of the clear value of One thousand Pounds above what will satisfy his debts, or shall occupy and shall for Twelve Months next previous have occupied a house of the clear yearly value of Twenty-five Pounds or upwards situate within the Borough; nor shall any Person be qualified to be elected or to be a Councillor or an Alderman of any Borough named in the said Schedule (B.) to this Act annexed, who shall not be entitled to be on the Burgess List of the Borough for which he is elected, nor unless he shall be seised or possessed of real or personal estate, or of both, of the clear value of Five hundred Pounds above what will satisfy his debts, or shall occupy, and shall for Twelve Months next previous have occupied, a House of the clear yearly value of Fifteen Pounds or upwards, situate within the Borough; nor shall any Person be qualified to be elected, or to be a Councillor or an Alderman of any Borough during such time as he shall hold any office or place of profit, other than that of Mayor, in the gift or disposal of the Council or Charitable Trustees of such Borough, or while he is an uncertificated Bankrupt, or during such time as he shall have directly or indirectly, by himself or his partner, any share or interest in any contract or employment with, by or on behalf of such Council or Charitable Trustees: Provided That no Person shall be disqualified from being a Councillor or Alderman of any Borough as aforesaid by reason of his being a proprietor or shareholder of or in any Company which shall contract with the Council of such Borough for lighting or supplying with water any part of the said Borough, or insuring against fire any property therein.

30.
Who shall
vote in the
Election for
Councillors,

And be it Enacted, That every Burgess of any Borough who shall be enrolled on the Burgess Roll for the time being of such Borough, shall be entitled to vote in the election of Aldermen and Councillors, and of the Auditors and Assessors hereinafter mentioned for such Borough; and no Person who shall not be enrolled in such Burgess Roll for the time being shall have any voice or be entitled to vote in any such election. 5

31.
Directing the
Election of
Aldermen and
Councillors,

And be it Enacted, That on the Twenty-fifth day of October in the first year in which this Act shall come into operation, in any Borough mentioned in the said Schedules, and not divided into Wards as hereinafter directed, the Burgesses shall elect from among the Persons qualified to be Councillors of such Borough the number of Persons mentioned in the Schedules to this Act annexed, in conjunction with such Borough, as the number of Aldermen and Councillors of the said Borough; and One-fourth part of the Persons so elected, being those who shall have the greatest number of votes, shall be the Aldermen of the said Borough, and the remaining Three-fourths shall be the Councillors of such Borough. 10 15

32.
One-third part
of the Council
to go out of
office annually.

And be it Enacted, That upon the Twenty-fifth day of October in every year following that in which this Act shall come into operation in any Borough, One-third part of the number appointed as aforesaid to be the whole number of the Councillors of such Borough shall go out of office; and the Burgesses then enrolled in the Borough shall elect the number of Councillors needed to supply the vacancies thereupon existing in the number of Councillors; and those who shall so first go out of office shall be the Councillors who were elected under the provisions of this Act, by the smallest numbers of votes at the first election; and in the next year, those who shall go out of office shall be the Councillors who were elected under the provisions of this Act, by the next smallest numbers of votes at the first election; the majority of the whole Council always determining, when the votes for any such Persons shall have been equal, or in case there shall have been no contest, who shall be the Persons so to go out of office; and thereafter those who shall so go out of office shall always be the Councillors who have been for the longest time in office without re-election: Provided always, That any Councillor so going out of office shall be capable of being forthwith re-elected, if then qualified as herein provided. 20 25 30 35

33.
When day of
Election falls
on a Sunday,
the Election
shall be held
on the Monday
following.

And be it Enacted, That whenever any day appointed by this Act as a day of election, or for doing any act in any year, shall happen on a Sunday, in every such case the election shall be holden and the act done on the following Monday. 40

And

And be it Enacted, That on the Twenty-fifth day of October in every Third Year after the year in which this Act shall come into operation in any Borough, One-half of the number appointed to be the whole number of the Aldermen of every Borough shall go out of office, and the Burgesses then enrolled in the Borough shall elect the number of Aldermen needed to supply the vacancies thereupon existing in the number of Aldermen ; and the Aldermen who shall so first go out of office shall be the Aldermen who were elected by the smallest number of votes at the first election ; the majority of the Council determining when the votes for any such Persons shall have been equal, or in case there shall have been no contest, who shall be the Aldermen first to go out of office, and thereafter those who shall go out of office shall always be those who have been Aldermen for the longest time without re-election : Provided always, That any Alderman, on going out of office, may be forthwith re-elected, if then qualified.

34.
One-half the
number of
Aldermen to
go out of
office every
Three Years.

And be it Enacted, That the first election of Aldermen and of Councillors within any Borough, according to the provisions of this Act, shall be holden before the Barrister to be appointed by the Lord Lieutenant to revise the Lists of Burgesses as aforesaid, and such Barrister shall for that purpose be in the place and stead of the Mayor and Assessors, and shall have all such powers as the Mayor or the Mayor and Assessors will possess in the subsequent elections ; and every subsequent election of Aldermen or of Councillors within any Borough, according to the provisions of this Act, shall be holden before the Mayor and Assessors for the time being of such Borough, except as herein is excepted ; and the voting at every such election shall commence at Nine of the clock in the forenoon, and shall finally close at Four of the clock in the afternoon of the same day, and shall be conducted in manner following ; (that is to say) every Burgess entitled to vote in the election may vote for any number of Persons, not exceeding the number of Aldermen or Councillors then to be chosen, by delivering to the Mayor or Barrister a Voting Paper, containing the christian names and surnames of the Persons for whom he votes, with their respective places of abode and descriptions, such paper being previously signed with the name of the Burgess voting, and with the name of the street, lane or other place in which the property in respect of which he is enrolled is situated.

35.
Elections, how
to be held.

Mode of
voting.

And be it Enacted, That at every election under this Act in any Borough, the Mayor or Barrister, if it shall appear to him expedient for taking the Poll at such election, may cause Booths to be erected, or Rooms to be hired and used as such Booths for different parts of such Borough, and such Booths or Rooms may be situated either in one place or in several places, and shall be so divided and allotted into

36.
Polling-booths
to be provided.

compartments as to the Mayor or Barrister shall seem most convenient; and the Mayor or Barrister shall appoint a Clerk to take the Poll at each compartment, and shall cause to be affixed on the most conspicuous part of each of the said Booths the Names of the Parts of the Borough for which such Booth is respectively allotted; and no Person shall be admitted to vote at any such election, except at the Booth allotted for the part wherein the house, warehouse, counting-house, office or shop occupied by him, as described in the Burgess Roll, may be; but in case no Booth shall happen to be provided for any particular part as aforesaid, the votes of the Persons voting in respect of property situate in any part so omitted may be taken at any of the said Booths; and public notice of the situation, division and allotments of the different Booths shall be given Two Days before the commencement of the Poll by the Mayor or Barrister; and in case the Booths shall be situated in different places, the Mayor or Barrister may appoint a Deputy to preside at each place: Provided, That no election shall be holden under this Act in any Borough in any church, chapel, or other place of public worship.

37.
No inquiry of
the Voter,
except as to
his identity,
and whether
he has voted
before at the
same Election.

And be it Enacted, That no inquiry shall be permitted at any election as to the right of any Person to vote as a Burgess in any Borough, except only as follows; (that is to say) that the Mayor or other presiding officer shall, if required by any two Burgesses entitled to vote in the same Borough, put to any Voter at the time of his delivering in his Voting Paper, and not afterwards, the following Questions, or any of them, and no other:

Forms of
Questions as
to these points.

1. Are you the Person whose name is signed as A. B. to the Voting Paper now delivered in by you?
2. Are you the Person whose name appears as A. B. on the Burgess Roll now in force for this Borough, being registered therein for property described to be situated in [here specify the Street, &c., as described in the Burgess Roll.]
3. Have you already voted at the present election?

And no Person required to answer any of the said Questions shall be permitted or qualified to vote until he shall have answered the same; and if any Person shall wilfully make a false answer to any of the Questions aforesaid, he shall be deemed guilty of a Misdemeanor, and may be indicted and punished accordingly.

38.
CLAUSE (G.)
Poll may be
closed if an
Hour has
elapsed with-

And be it Enacted, That at any Election under the provisions of the said Act or of this Act, it shall be lawful for the presiding Officer to close the Poll at any time before Four of the clock, if One Hour shall

shall have elapsed during which no vote shall have been tendered for any Candidate: Provided, That no Person or Persons have, within the last Hour, been prevented from coming to the poll by any riot, violence, or other unlawful means, of which notice shall have been given to the Returning Officer.

out a Vote
being ten-
dered.

And be it Enacted, That the Mayor and Assessors or the Barrister shall examine the Voting Papers so delivered as aforesaid, for the purpose of ascertaining which of the several Persons voted for are duly elected; and so many of such Persons, being equal to the number of Persons then to be chosen, as shall have the greatest number of votes, shall be deemed to be elected; and in case of an equality in the number of votes for any two or more Persons, the Mayor and Assessors, or any Two of them, or at the first election the Barrister, shall name from amongst those Persons for whom the number of votes shall be equal, so many as shall be necessary to complete the requisite number of Persons to be chosen Aldermen or Councillors, as the case may be; and the Mayor shall cause the Voting Papers to be kept in the office of the Town Clerk during Six calendar Months at the least after every such election; and the Town Clerk shall permit any Burgess to inspect the Voting Papers of any year on payment of One Shilling for every search; and the Mayor shall publish a List of the Names of the Persons so elected, together with the number of Votes given in favour of each Person so elected, not later than Two of the clock in the afternoon of the day next but one following the day of such election.

39.
Result of
Election how
to be declared.

And be it Enacted, That on the First day of November in the year in which this Act shall come into operation in every Borough, and in every succeeding year, the Burgesses of that Borough shall elect from the Persons qualified to be Councillors, by a majority of votes, Two Burgesses who shall be and be called Auditors of such Borough, and Two Burgesses who shall be and be called Assessors of such Borough, and every such Auditor and Assessor shall continue in office until the Tenth day of November in the year following his election; and the election of such Auditors and Assessors respectively shall be in form and manner hereinbefore provided for the election of Councillors: Provided nevertheless, That in every such election of Auditors or Assessors, no Burgess shall vote for more than One Person to be an Auditor or Assessor: Provided also, That no Burgess shall be eligible to be or be elected such Auditor or Assessor as aforesaid, who shall be of the Council, or the Town Clerk or Treasurer of such Borough; and no Auditor or Assessor shall be eligible to be elected Alderman or Councillor, or appointed to be Town Clerk or Treasurer of the Borough, during the time of his being such Auditor or Assessor.

40.
Election of
Auditors and
Assessors.

41.
 CLAUSE (H.)
 Council to
 appoint an
 Alderman in
 default of the
 Mayor.

And be it Enacted, That if the Mayor of any Borough shall, at the time when it shall be necessary to execute the powers and duties herein provided with respect to electors, be dead, absent or otherwise incapable of acting, the Council of such Borough shall forthwith elect one of the Aldermen to execute all such powers and duties in his place, whose acts shall be as valid as any act of the Person instead of whom he shall have been so elected. 5

42.
 CLAUSE (I.)
 In case of ill-
 ness of Alder-
 man at Elec-
 tion.

And be it Enacted, That in case of the illness or incapacity to act of any Alderman at any election, the Mayor shall be empowered to appoint another Alderman to act in the room of such Alderman during such illness or incapacity. 10

43.
 CLAUSE (K.)
 Assessor may
 appoint a
 Deputy

And be it Enacted, That every Assessor shall be empowered, and he is hereby directed as soon as conveniently may be after his election, and from time to time as the occasion may arise or to him may deem fit, to appoint under his hand a deputy to act for him in case of his illness or incapacity to act at any election, or any revision of the Burgess Lists; and every such appointment shall be signified by him in writing, under his hand, to the Council, and shall be recorded on the minutes of their proceedings. 15

44.
 Existing
 Mayors and
 Councils to go
 out of Office
 on election of
 Councils un-
 der this Act]

And be it Enacted, That after the declaration of the first election of the Councillors under the provisions of this Act in any Borough, the Mayor, Aldermen and Common Councilmen, and all other members of the Common Council or Governing Body of the Body Corporate, if any, named in conjunction with such Borough in the said Schedules (A.) and (B.), by whatever name or style they may be known or called, then in office, or elected to any office, shall go out of office, and their whole powers and duties shall cease: Provided nevertheless, That any of the said Persons shall be eligible to be elected and appointed under the provisions of this Act: Provided also, That such Persons as by virtue of any Charter are Justices of the Peace in any Borough at the time of passing this Act, shall continue to have and exercise all the powers which at the time of passing this Act they have as Justices of the Peace, until the First day of December next after the first election of Councillors under this Act in that Borough, and no longer. 20 25 30 35

45.
 CLAUSE (L.)
 Certain elec-
 tions not to
 be had.

And be it Enacted, That in every Borough in which by statute, charter, bye-law or custom, any election is appointed to be holden between the day on which this Act shall come into operation in that Borough and the Twenty-fifth day of October then next following, both inclusive, no such election shall be holden; but every Person holding office, or elected to any office in any Borough on the day on which this Act shall come into operation in that Borough, shall hold such office, and have all the powers, and be subject to all the duties, and be entitled to the same or a proportion of the same salary 40

salary and fees of such office for the time for which he shall act, as he would have had and been if elected to such office between the day on which this Act shall come into operation in that Borough and the Twenty-fifth day of October then next following, until the
 5 time provided by this Act for him to go out of office, any statute, charter, bye-law or custom notwithstanding.

And be it Enacted, That every Borough in the said Schedule (A.) shall, as soon as this Act shall come into operation in that Borough, be divided into the number of Wards mentioned in such Schedule, in conjunction with the name of such Borough: Provided,
 10 That Parliament, by an Act to be passed in this present Session, shall direct in what manner such division shall be made, and shall apportion among the several Wards of such Borough the number of Councillors and Aldermen mentioned in conjunction with the name of
 15 such Borough in the said Schedule, so that the number of Councillors assigned to each Ward may be a number divisible by Three, and the number of Aldermen One-third of the number of Councillors; and in that case the number of Councillors and Aldermen so assigned to each Ward of such Borough shall thenceforth be the number to
 20 be elected in such Ward as hereinafter mentioned.

46.
 Certain Boroughs to be divided into Wards.

And be it Enacted, That in every case in which there shall be a division into Wards of any Borough, the Burgesses of every such Ward, and none others, shall, on the Twenty-fifth day of October next after such division, separately elect from the Persons qualified to
 25 be Councillors, the whole number of Aldermen and Councillors assigned to such Ward; and the One-fourth of the Persons so elected who shall have the greatest number of votes shall be the Aldermen of such Ward, and the remaining Three-fourths shall be the Councillors of such Ward; and the Burgesses of such Ward, and none others, in
 30 every subsequent year shall separately elect from the Persons qualified to be Councillors One-third part of the whole number of Councillors assigned to such Ward, and in every Third subsequent year except in the City of Dublin, One-half of the whole number of Aldermen assigned to such Ward; and in the City of Dublin the Bur-
 35 gesses of each of eight Wards shall separately elect in every third subsequent year the Alderman of that Ward, the Council determining in which Wards the Aldermen shall be first re-elected; and the Aldermen first elected in the eight Wards so determined upon by the Council shall go out of office at the end of Three Years after
 40 their election, and the Burgesses of every Ward in every Borough (including the City of Dublin) on the First day of November next after the first election of Councillors in such Ward, and in every subsequent year, shall separately elect from the Persons qualified to be Councillors Two Assessors for such Ward, besides the Two Assessors chosen as aforesaid by the Burgesses of the whole Borough, to hold the Court

47.
 Election of Councillors and Assessors in Wards.

with the Mayor for revising the Burgess Lists; and every such Ward election first after such division into Wards of any Borough shall be held before the Barrister appointed by the Lord Lieutenant as aforesaid, or the Person whom the said Barrister shall and is hereby required to appoint in that behalf, and in every succeeding year shall be held before the Alderman whom the Councillors chosen in such Ward shall yearly appoint in that behalf, and before the Two Assessors of such Ward; and the votings and other proceedings in all other respects at such Ward elections shall be conducted in the same manner as at elections of Aldermen, Councillors or Assessors respectively by the Burgesses of the whole Borough; and the Alderman and Assessors of each Ward, and the Persons who may be so appointed shall have the same powers in regard to elections in their Ward as the Mayor and Assessors for the whole Borough, if not divided into Wards; and every Person so elected an Alderman, Councillor or Assessor in such Ward shall hold his office for the same time that he would have held it if he had been elected by the Burgesses of the whole Borough, and if the number elected in such Ward had been the whole number for the Borough.

48.
Lists of the
Burgesses in
each Ward to
be made out
yearly.

And be it Enacted, That for the purpose of better ascertaining who are the Burgesses of any such Ward, the Burgess Roll of every Borough so divided into Wards shall thenceforward yearly be made out, by or under the direction of the Town Clerk, in Alphabetical Lists of the Burgesses in each Ward, to be called "Ward Lists."

49.
Burgesses to
vote for the
Councillors of
the Ward in
which their
property is
situate.

And be it Enacted, That after such division into Wards every Burgess of any Borough shall be entitled to vote in the election of the Aldermen and Councillors to be chosen within that Ward in which some part of the property of such Burgess, in respect of which he is enrolled on the Burgess Roll for the time being of such Borough, shall appear to be situated, and not otherwise; and in case it shall happen that any Burgess shall be entitled to be enrolled in respect of property in two or more Wards, then he shall, if otherwise duly qualified according to the provisions of this Act, be enrolled and vote in such one of the said Wards as he shall at the time of his enrolment select, by writing under his hand delivered to the Town Clerk, or left at his office on or before the Fifth day of September in any year, or, in default of his selection, as the Mayor shall determine, but not in more than one.

50.
Manner of
proceeding, if
any Person is
elected a
Councillor in
more than one
Ward.

And be it Enacted, That if at any election of Aldermen, Councillors or Assessors for any Borough, any Person shall be elected an Alderman, Councillor or Assessor in more than one of the Wards of such Borough, he shall, within Three Days after notice thereof, choose, or in his default the Mayor shall declare for which one of the said Wards such Alderman, Councillor or Assessor shall serve, and

and such Person shall thereupon be held to be elected in that Ward only which he shall so choose, or which the Mayor shall so declare.

51.
Occasional
Vacancies of
Councillors to
be filled up
by fresh
Election.

And be it Enacted, That if any extraordinary vacancy shall be occasioned in the office of Councillor, Auditor or Assessor for any
5 Borough, the Burgesses entitled to vote shall, on a day to be fixed by the Mayor of such Borough, or by the Alderman of the Ward in which the vacancy has happened, accordingly as the election is to be by the Burgesses of the whole Borough, or of any particular
10 Ward (such day not to be later than Ten Days after such vacancy), elect from the Persons qualified to be Councillors another Burgess to supply such vacancy; and such election shall be held, and the voting and other proceedings, in case of a contest, shall be conducted in the same manner and subject to the same provisions as are hereinbefore
15 enacted with respect to the election of Councillors as aforesaid; and every Person so elected shall hold such office until the time at which the Person in room of whom he was chosen would regularly have gone out of office, and he shall then go out of office, but shall be capable of immediate re-election, if then qualified as herein provided.

And be it Enacted, That if any extraordinary vacancy shall be
20 occasioned in the office of Alderman by reason of any Person who shall have been elected to such office not accepting the same, or by reason of his dying or ceasing to hold the said office, the Burgesses, in case no division into Wards shall have been made, and when such division shall have been made, the Burgesses of the Ward in which
25 the vacancy may have occurred shall, within Ten Days after such vacancy, elect out of the Councillors, or Persons qualified to be Councillors of the Borough, another fit Person to be an Alderman of the Ward, instead of the Person so declining, dying or ceasing to hold office.

52.
Occasional
Vacancies in
the Office of
Aldermen to
be supplied.

And be it Enacted, That on the First day of November in every
30 year, the Council of the Borough shall elect out of the Aldermen or Councillors of such Borough a fit Person to be the Mayor of such Borough, who shall continue in his office for One whole Year, and until the election of his successor; and in case of an equality
35 of votes in any election of Mayor, the Alderman who shall have been elected by the greatest number of votes shall have a second or casting vote; and in case a vacancy shall be occasioned in the office of Mayor of the Borough during such year by reason of any Person who shall have been elected to such office not accepting the
40 same, or by reason of his dying or ceasing to hold the said office, the Council of the Borough shall, within Ten Days after such vacancy, elect out of the Aldermen or Councillors of the said Borough another fit Person to be the Mayor thereof for the remainder of the then current year.

53.
Election of
Mayor by
Council.

54.
The Mayor to
be a Justice of
the Peace for
the Borough
and for the
County, and
Returning
Officer at
Elections of
Members to
serve in Par-
liament.

And be it Enacted, That the Mayor for the time being of every Borough shall be a Justice of the Peace of and for such Borough, and such Mayor shall, during his Mayoralty, have precedence in all places within the Borough; and in Boroughs which return a Member or Members to serve in Parliament, other than Cities and Towns which are Counties of themselves, shall be the Returning Officer at all elections for such Members; and such Mayor or other Returning Officer of any Borough shall, if he shall think fit, or if any Candidate shall require the same, be assisted in such of the said Boroughs as shall have a Recorder by the Recorder of such Borough as his Assessor at such election; and in case the Mayor shall, at the time when it shall be necessary to execute the powers and duties herein provided with respect to any elections, be dead or absent, or otherwise incapable of acting, the Council of such Borough shall forthwith elect one of the Aldermen to be the Returning Officer for such Borough in the place of the Mayor being so dead, absent or otherwise incapable.

55.
Mayor, Alder-
men and Coun-
cillors not to
act until they
have made a
Declaration
of acceptance
of office.

And be it Enacted, That no Person elected a Mayor, Alderman or Councillor, Assessor or Auditor for any Borough, or Ward of any Borough, under the provisions of this Act, shall be capable of acting as such, except in administering the Declaration hereinafter contained, until he shall have made and subscribed, before any Two or more of such Aldermen or Councillors (who are hereby respectively authorized and required to administer the same), a Declaration in the words or to the effect following; (that is to say)

“ I, A. B., having been elected Mayor [or, Alderman, Councillor, Auditor or Assessor] for the Borough of [or, for the Ward of] in the Borough of] do hereby declare, That I take the said office upon myself, and will duly and faithfully fulfil the duties thereof according to the best of my judgment and ability.”

And in the case of the Party being required to be qualified by estate, say,

“ And I do hereby declare, That I am seised or possessed of real or personal estate, [or both, as the case may be] to the amount of One thousand Pounds [or, Five hundred Pounds, as the case may require], over and above what will satisfy my debts.”

Or when a qualification by reason of the occupancy of a house value is allowed :

“ That I now occupy and have for Twelve Months last past occupied a house of the clear yearly value of Twenty-five Pounds, or Fifteen Pounds [as the case may be], situate within the Borough of

Provided

Provided that when a Borough rate shall have been imposed in any Borough under this Act, the words "rated as being of the value" shall be inserted instead of the words "of the clear yearly value."

- 5 And that every Alderman who shall have made and subscribed the foregoing Declaration in respect of estate, shall once in every period of Three Years, if required in writing so to do by any Two Members of the Council, make and subscribe a Declaration that he is qualified to the same amount in real or personal estate, or both, as the case
10 may then be, as the amount mentioned in the Declaration originally made or subscribed by him.

- And be it Enacted, That every Person duly qualified, who shall be elected to the office of Alderman, Councillor, Auditor or Assessor, and every Councillor or Alderman who shall be elected to the office of
15 Mayor for any Borough, shall accept such office to which he shall have been elected, or shall in lieu thereof pay to the Mayor, Aldermen and Burgesses of such Borough such Fine, not exceeding Fifty Pounds in case of Aldermen, Councillors, Assessors or Auditors, and such Fine not exceeding One hundred Pounds in case of Mayor, as the
20 Council of such Borough, by a Bye-law to be made as hereinafter provided, shall declare in that behalf; and such Fine, if not duly paid, shall be levied by the Warrant of any Justice having jurisdiction within such Borough, who is hereby required, on application of the Council, to issue the same by distress and sale of the
25 goods and chattels of the Person so refusing to accept such office, with the reasonable charges of such distress, and shall also be recoverable by way of Civil Bill in any action of debt, at the suit of the Mayor, Alderman and Burgesses of such Borough, in the Court of the Assistant Barrister, Chairman or Recorder having jurisdiction, by way of Civil Bill, within such Borough; and every such
30 Person so elected shall accept such office, by making and subscribing the Declaration hereinbefore mentioned, within Five Days after notice of his election, otherwise such Person shall be liable to pay the said Fine as for his non-acceptance of such office; and
35 such office shall thereupon be deemed to be vacant, and shall be filled up by a fresh election, to be made in the manner hereinbefore mentioned: Provided always, That no Person disabled by lunacy or imbecility of mind, or by deafness, blindness or other permanent infirmity of body, shall be liable to such Fine as aforesaid: Pro-
40 vided also, That every Person so elected to any such office, who shall be above the age of Sixty-five Years, or who shall have already served such office respectively or paid the Fine for not accepting such office respectively, within Five Years from the day on which he shall be so re-elected, shall be exempted from accept-

56.
Every Burgess elected to the office of Councillor, and every Councillor elected to the office of Mayor or Alderman shall accept the office, or pay a Fine to the Borough Fund.

Exemptions.

ing or serving the same office, if he shall claim such exemption within Five Days after notice of his election; and that nothing herein contained shall extend to compel the acceptance of any office or duty whatever in any Borough by any Military, Naval or Marine Officer in Her Majesty's service on full pay, or any officer of Excise or Customs, or any Person employed in any of Her Majesty's Dockyards, Victualling Establishments, Arsenals or Barracks, or any person serving in the office of High or Sub-Sheriff of a county at large, or being a Member of either House of Parliament. 5

57.
 CLAUSE (M.)
 Provision for
 resigning
 office.

And be it Enacted, That every Person elected into any corporate office in any of the said Boroughs, may at any time resign such office on payment of the fine which he would have been liable to pay for non-acceptance of the same office, or if he shall become entitled to claim exemption from payment of any such fine, or from accepting or serving such office under any provision hereinbefore contained. 10 15

58.
 Any Mayor,
 Alderman or
 Councillor, if
 he shall be
 declared
 Bankrupt or
 Insolvent, or
 absent himself
 from the
 Borough, shall
 lose his office.

And be it Enacted, That if any Person holding the office of Mayor, Alderman or Councillor for any Borough shall be declared Bankrupt, or shall apply to take the benefit of any Act for the relief of Insolvent Debtors, or shall compound by deed with his Creditors, or being Mayor be absent for more than Two calendar Months, or being an Alderman or Councillor for more than Six Months, at one and the same time (unless in case of illness or other reasonable cause to be allowed by the Council), from the Borough of which he shall be Mayor, Alderman or Councillor, then and in every such case such Person shall thereupon immediately become disqualified, and shall cease to hold the office of such Mayor, Alderman or Councillor as aforesaid, and in case of such absence shall be liable to the same Fine, to be recovered in the same manner as if he had refused to accept the said office; and the Council thereupon shall forthwith declare the said office to be void, and shall signify the same by notice in writing under the hands of Three or more of them, countersigned by the Town Clerk, to be affixed in some public place within the Borough, and the said office shall thereupon become void; but every Person so becoming disqualified, and ceasing to hold such office, on account of his being declared a Bankrupt, or of his applying to take the benefit of any Act for the relief of Insolvent Debtors, or having compounded with his Creditors as aforesaid, shall, on obtaining his Certificate, or on payment of his debts in full, be capable, if otherwise qualified, of being re-elected to such office; and every Person becoming disqualified to hold such office on account of absence as aforesaid shall, on his return to such Borough, be capable of being re-elected to such office, provided he shall then be otherwise qualified. 20 25 30 35 40

And

Penalty on
Person not
qualified, &c.
acting as
Mayor,
Alderman or
Councillor.

And be it Enacted, That if any Person shall act as Mayor, Alderman or Councillor, or Auditor or Assessor for any Borough, or for any Ward in any Borough, without having made the Declaration hereinbefore required in that behalf, or without being duly qualified
 5 at the time of making such Declaration, or after he shall have ceased to be qualified according to the provisions of this Act, or after he shall have become disqualified to hold any such office, he shall for every such offence forfeit the sum of Fifty Pounds, such sum to be recovered, with full costs of suit, by any Person who will
 10 sue for the same, within Three calendar Months after the commission of such offence, by action of debt or on the case, in any of Her Majesty's Superior Courts of Record; and every Person so sued by reason of not being so qualified in respect of estate shall prove that
 15 shall pay the said Penalty, without any further evidence being given on the part of the Plaintiff than that such Person has acted as the Mayor, or as Alderman, Councillor, Auditor or Assessor (as the case may be) of such Borough or Ward (as the case may be): Provided always, That it shall be lawful for any Defendant by Judge's order,
 20 or by the order of the Court, to be obtained within Fourteen Days after he shall have been served with process in any such action, to require the Plaintiff to give security for Costs; and in such case all further proceedings in the said cause shall be stayed until the Plaintiff shall give security to the satisfaction of the proper officer of the Court for
 25 the Costs of such action, in case a verdict shall pass for the Defendant, or the Plaintiff shall become nonsuit or discontinue such action, or if upon demurrer or otherwise judgment shall be given against the Plaintiff, and the Defendant shall in either of such cases recover his full Costs as between Attorney and Client: Provided also, That no such
 30 action shall be brought except by a Burgess of such Borough, nor unless the Burgess bringing the same shall, within Fourteen Days after the commission of the offence, have served a notice in writing personally upon the party committing such offence, of his intention to bring such action; and in case the Plaintiff in any such action shall
 35 obtain a verdict, the money so to be recovered shall, after payment of the costs and expenses attending the recovery thereof, be paid and apportioned as follows; (that is to say) one Moiety thereof to the Person so suing, and the other Moiety thereof to the Treasurer to be appointed by virtue of this Act, to be by him applied in aid of the
 40 Borough Fund: Provided also, That all acts and proceedings of any person in possession of the office of Mayor, Alderman, Councillor, Auditor or Assessor, and acting as a Mayor, Alderman, Councillor, Auditor or Assessor, shall, notwithstanding such disqualification or want of qualification, or any other defect or want of title, be as valid and effectual as if such Person had been duly qualified or entitled; and no Person enrolled on the Burgess Roll for the

Proviso.

time being of any Borough, and who shall act as Mayor, Alderman, Councillor, Auditor or Assessor in that Borough, shall be liable to any penalty for so acting, on the ground that he was not entitled to be on the Burgess List of such Borough.

60.

Persons convicted of Bribery disqualified from voting at any Election for Members of the Council.

And be it Enacted, That if any Person who shall have or claim to have any right to vote in any election of Mayor, or of an Alderman, Councillor, Auditor or Assessor of any Borough, shall, after the passing of this Act, ask or take any money or other reward by way of gift, loan or other device, or agree or contract for any money, gift, office, employment or other reward whatsoever, to give or forbear to give his vote in any such election ; or if any Person, by himself or any Person employed by him, shall by any gift or reward, or by any promise, agreement or security for any gift or reward, corrupt or procure, or offer to corrupt or procure, any Person to give or forbear to give his vote in any such election, such Person so offending in any of the cases aforesaid shall for every such offence forfeit the sum of Fifty Pounds, to be recovered, together with full costs of suit, by any one who shall sue for the same by action of debt, bill, plaint or information, in any of Her Majesty's Courts of Record at Dublin ; and any Person offending in any of the cases aforesaid being lawfully convicted thereof, shall for ever be disabled to vote in any election in such Borough, or in any Municipal or Parliamentary election whatever in any part of the United Kingdom, and also shall for ever be disabled to hold, exercise or enjoy any office or franchise to which he then shall or at any time afterwards may be entitled as a Burgess of such or any other Borough, as if such Person was naturally dead : Provided nevertheless, That if any Person offending in any of the cases aforesaid shall, within the space of Twelve calendar Months next after such election as aforesaid, discover any other Person or Persons offending in any of the cases aforesaid, so that such Person or Persons so discovered be therein convicted, such Person so discovering, and not having been before that time convicted of any such offence, shall be indemnified and discharged from all penalties and disabilities which he shall then have incurred by any such offence.

Persons offending in any of the cases aforesaid, discovering others so offending within Twelve Months, discharged from all Penalties.

61.

No Person to be made liable to incapacity or Penalty unless Prosecution commenced within Two Years.

Provided always, and it is hereby Enacted, That no Person shall be made liable to any incapacity, disability, forfeiture or penalty by this Act imposed, in any of the cases aforesaid, unless prosecution be commenced within One Year after such incapacity, disability, forfeiture or penalty shall be incurred ; any thing herein contained to the contrary notwithstanding.

62.

Questions to be decided by a majority of Councillors present ; one-

And be it Enacted, That all acts whatsoever authorized or required by virtue of this Act to be done by the Council of any Borough, and all questions of adjournment, or others that may come before

third part of
whole number
to be a Quo-
rum.

before such Council, may be done and decided by the majority of the Members of the Council who shall be present at any Meeting held in pursuance of this Act, the whole number present at such Meeting not being less than One-third part of the number of the whole Council; and at all such Meetings the Mayor, if present, shall preside, and the Mayor, or in case of the absence of the Mayor, such Alderman or Councillor as the Members of the Council then assembled shall choose to be the Chairman of that Meeting, shall have a second or casting vote in all cases of equality of votes; and Minutes of the Proceedings of all such Meetings shall be drawn up and fairly entered into a Book to be kept for that purpose, and shall be signed by the Mayor, Alderman or Councillor presiding at such Meeting; and the said Minutes shall be open to the inspection of any Burgess at all reasonable times on payment of a Fee of One Shilling: Provided always, That previous to any Meeting of the Council held by virtue of this Act, a Notice of the time and place of such intended Meeting shall be given Three clear Days at least before such Meeting, by fixing the said Notice on or near the door of the Town Hall of the Borough; and such Notice shall be signed by the Mayor, who shall have power to call a Meeting of the Council as often as he shall think proper; and in case the Mayor shall refuse to call any such Meeting after a requisition for that purpose, signed by Five Members of the Council at the least, shall have been presented to him, it shall be lawful for the said Five Members to call a Meeting of the Council, by giving such Notice as is hereinbefore required in that behalf, such Notice to be signed by the said Members instead of the Mayor, and stating therein the business proposed to be transacted at such Meeting; and in every case a summons to attend the Council, specifying the business proposed to be transacted at such Meeting, signed by the Town Clerk, shall be left at the usual place of abode of every Member of the Council, or at the premises in respect of which he is enrolled a Burgess, Three clear Days at the least before such Meeting; and no business shall be transacted at such Meeting other than is specified in the Notice: Provided always, That there shall be in every Borough Four quarterly Meetings in every year at which the Council shall meet for the transaction of general business, and no Notice shall need to be given of the business to be transacted on such quarterly days; and the said quarterly Meetings shall be holden at noon on the First day of November and at such hour on such other Three Days before the Twenty-fifth day of October then next following, as the Council at the quarterly Meeting in November shall decide, and the first business transacted at the quarterly Meeting in November shall be the election of Mayor.

63.

Power to
Council to
appoint Town
Clerk, Trea-
surer and
other Officers
and to take
Security for
due discharge
of their official
Duties.

And be it Enacted, That the Council of every Borough in every year shall appoint, to be removable at their pleasure, a fit Person, not being a Member of the Council, to be the Town Clerk of such Borough, and one other fit Person, not being a Member of the Council, to be the Treasurer of the Borough, and also such other Officers as have been usually appointed in such Borough, or as they shall think necessary for enabling them to carry into execution the various powers and duties vested in them by virtue of this Act, and may from time to time discontinue the appointment of such officers as shall appear to them not necessary, and shall take such security for the due execution of his office by any such Town Clerk, Treasurer or other Officer, as the said Council shall think proper; and shall order to be paid to the Mayor, and to the Town Clerk and Treasurer, and to every such other Officer to be employed as aforesaid, such Salary or Allowance as the said Council shall think reasonable; and in case of a vacancy in any such office as aforesaid, by death, resignation, removal or otherwise, the Council of such Borough may appoint another fit Person in the place of the Person so making such vacancy; provided that the Town Clerk and Treasurer shall not be the same Person.

64.

Officers to ac-
count, &c.
according to
the orders of
the Council.

And be it Enacted, That every Treasurer, Town Clerk, or other Officer appointed by the Council as aforesaid, shall, at such times during the continuance of his office, or within Three calendar Months after the expiration of his office, and in such manner as the said Council shall direct, deliver to the Council, or to such Person as they shall authorize for that purpose, a true account in writing of all matters committed to his charge by virtue of this Act, or under colour of his office, and also of all monies which shall have been by him received by virtue or for the purposes of this Act, or under colour of his office, and how much thereof shall have been paid and disbursed, and for what purposes, together with proper Vouchers for such payments, and also a List of the Names of all such Persons as shall not have paid the monies due from them for the purposes of this Act, and of the amount due from each of them; and every such Officer shall pay all such monies as shall remain due from him to the Treasurer for the time being, or to such Person as the said Council shall authorize to receive the same; and if any such Officer shall refuse or wilfully neglect to deliver such Account, or the Vouchers relating to such Account, or such List as aforesaid, or to make payment as aforesaid, or shall refuse or wilfully neglect to deliver to the said Council, or to such Person as they shall authorize, within Three Days after being thereunto required by notice in writing under the hands of any Three or more of the said Council, to be given to or left at the last place of abode of such Officer, all books, papers and writings

Summary
Remedy
against
Officers for
not account-
ing, &c.

writings in his custody or power relating to the execution of this Act, or to give satisfaction to the said Council, or to such other Person as aforesaid respecting the same, then and in every such case, upon complaint made on behalf of the said Council, by such Person as they shall authorize for that purpose, of any such refusal or wilful neglect as aforesaid, to any Justice of the Peace for the County or other jurisdiction wherein such Officer so refusing or neglecting shall be or reside, such Justice is hereby authorized and required to issue a Warrant under his hand and seal for bringing such Officer before any Two Justices of the Peace for such county or jurisdiction; and upon the said Officer appearing or not being found, it shall be lawful for such Justices to hear and determine the matter in a summary way; and if it shall appear to such Justices that any monies remain due from such Officer, such Justices may and they are hereby authorized and required, upon non-payment thereof, by Warrant under their hands and seals, to cause such monies to be levied by distress and sale of the goods of such Officer; and if sufficient goods shall not be found to satisfy the said monies and the charges of the distress, or if it shall appear to such Justices that such Officer has refused or wilfully neglected to deliver such Account or the Vouchers relating thereto, or such List as aforesaid, or that any books, papers or writings relating to the execution of this Act remain in the hands or in the custody or power of such Officer, and that he has refused or wilfully neglected to deliver the same, or to give satisfaction respecting the same as aforesaid, then and in every such case such Justices shall and they are hereby required to commit such offender to the Common Gaol or House of Correction for the County or Jurisdiction where such offender shall be or reside, there to remain without bail until he shall have paid such monies as aforesaid, or shall have compounded with the said Council for such monies, and shall have paid such composition in such manner as they shall appoint (which composition the said Council are hereby empowered to make and receive), or until he shall have delivered a true account as aforesaid, together with such Vouchers and List as aforesaid, or until he shall have delivered up such books, papers and writings, or have given satisfaction in respect thereof to the said Council, or to such other Person as aforesaid, as the case may be: Provided always, That no Person so committed shall be detained in prison, for want of sufficient distress only, for a longer space of time than Three calendar Months: Provided also, That nothing in this Act contained shall prevent or abridge any remedy by action against any such Officer so offending as aforesaid, or against any Surety for any such Officer, but such Officer shall not be sued by action, and also proceeded against in a summary manner by virtue of this Act for the same cause. Remedy by Action.

65.

Officers to
continue until
removed.

And be it Enacted, That the Council elected under this Act in any Borough shall have power to remove from his office every Town Clerk, Bailiff, Treasurer or Chamberlain, and every other ministerial or executive officer of such Borough and Body Corporate, except the Sheriff, who shall be in office at the time of the first election of Councillors under this Act; and every such Town Clerk, Bailiff, Treasurer or Chamberlain, and every other ministerial or executive Officer in such Borough, shall continue to act in the same capacity as heretofore, and to execute all the duties heretofore belonging to his office, and be entitled to have the same salaries, fees and emoluments as he would have had if this Act had not passed, until he shall be removed from his office, and no longer, unless he shall be re-appointed according to the provisions of this Act; and every Officer who shall be in possession or receipt of any monies, goods, valuable securities, books or papers, belonging to or concerning the Body Corporate, whose officer he is, shall deliver up and account for the same to the Council of such Body Corporate appointed under this Act; and in case they or any of them shall refuse or wilfully neglect to deliver such Accounts, Vouchers and Lists, or to make such payments, or to deliver such Books, Papers and Writings, or to give satisfaction respecting the same, as is hereinbefore provided in the case of Officers appointed by such Council, they and every of them may be proceeded against, and shall be subject and liable to the several provisions hereinbefore contained in cases of Officers appointed by such Council; and all the Charters, Deeds, Muniments and Records of every Borough, or relating to the property thereof, shall be kept in such place as the Council from time to time shall direct, and the Town Clerk for the time being shall have the charge and custody of and be responsible for the same.

66.

Officers to
receive Com-
pensation on
removal.

And be it Enacted, That every Officer of any Borough or County who shall be in any office of profit at the time of the passing of this Act, whose office shall be abolished, or who shall be removed from his office under the provisions of this Act, or who shall not be re-appointed as aforesaid, shall be entitled to have an adequate compensation, to be assessed by the Council and paid out of the Borough Fund, for the salary, fees and emoluments of the office which he shall so cease to hold, regard being had to the manner of his appointment to the said office, and his term or interest therein, and all other circumstances of the case; and every Person entitled to such compensation as aforesaid shall deliver to the Town Clerk, or in case such Person shall himself be Town Clerk, then to the Treasurer of the Borough, a statement under the hand of such Person, setting forth the amount received by him or his predecessors in every year during the period of Five Years next before the passing

passing of this Act, on account of the salary, fees, emoluments, profits
 and perquisites in respect whereof he shall claim such compensation,
 distinguishing the office, place, situation, employment or appoint-
 ment in respect whereof the same shall have been received, and
 5 containing a declaration that the same is a true statement according
 to the best of the knowledge, information and belief of such Person,
 and also setting forth the sum claimed by him as such compensation;
 and the Town Clerk or Treasurer, as the case shall be, shall lay
 such statement before the Council, who shall take the same into
 10 consideration and determine thereon; and immediately upon such
 determination being made, the Person preferring such claim, if he
 shall not himself be the Town Clerk, shall be informed thereof by
 notice in writing under the hand of the Town Clerk; and in case
 such claim shall be admitted in part and disallowed in part, such
 15 notice shall specify the particulars in which the same shall have been
 admitted and disallowed respectively; and in case the Person pre-
 ferring such claim shall think himself aggrieved by the determination
 of the Council thereon, or in case One-third of the Members of the
 Council shall subscribe a protest against the amount of compensation
 20 allowed by the determination of the Council, as excessive, it shall be
 lawful for the Person preferring such claim, or any Member of the
 Council who shall subscribe such protest, to appeal to the Com-
 missioners of Her Majesty's Treasury, who shall thereupon make
 such order as to them shall seem just; and such order, signed by
 25 Three or more of such Commissioners, shall be binding on all
 parties: Provided always, That if the Council shall not determine
 on such claim within Six calendar Months after the aforesaid state-
 ment shall be delivered to the Town Clerk or Treasurer, as the case
 shall be, such claim shall be considered as admitted: Provided also,
 30 That it shall not be lawful for any Member of the Council to sub-
 scribe such protest as aforesaid, except within such period of Six
 calendar Months: Provided also, That the Person preferring such
 claim, if any Member of the Council shall so require, upon receiving
 notice in writing, signed by the Town Clerk, unless such Person
 35 shall himself be Town Clerk, in which case no such notice shall be
 requisite, shall from time to time attend at any meeting or adjourned
 meeting of the Council for the investigation of such claim, and then
 and there, upon his oath, or solemn affirmation, or his declaration, to
 be taken or made before the Mayor (who is hereby authorized to
 40 administer the same), shall answer all such questions as shall be asked
 by any Member of the Council, touching the matters set forth in the
 statement subscribed by such Person as aforesaid, and produce all
 books, papers and writings in his possession, custody or power re-
 lating thereto: Provided also, That every such Officer who shall be
 continued in or re-appointed to such office under the provisions of
 this Act, and who shall be subsequently removed from such office for

any cause other than such misconduct as would warrant removal from any office held during good behaviour, shall be entitled to compensation in like manner as if he had been forthwith removed under the provisions of this Act, and had not been continued in or re-appointed to such office.

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67.

Compensation
to be secured
by Bond under
Common Seal.

And be it Enacted, That the value of the sum payable to any Person as such compensation as aforesaid, if not forthwith paid, shall be secured to such Person by bond or obligation under the common seal of the Borough, out of whose Funds the same shall be payable, in a sufficient penalty conditioned for the payment to such Person, 10
his executors or administrators or assigns, of the value of such sum, with interest and all arrears thereof (if any) accrued due before the date of such bond; and such bond or obligation shall be prepared and executed at the expense of the Borough Fund, and delivered to the Person entitled to such compensation as soon as conveniently 15
may be after the amount thereof shall have been admitted as aforesaid by the Council of the Borough; or shall have been determined in the event of such appeal as aforesaid by order of the said Lords Commissioners.

68.

Reservation
of certain
Pensions and
Allowances.

And be it Enacted, That all Pensions and Allowances granted on 20
or before the Fifth day of June One thousand eight hundred and Thirty-five, by the Corporate Body named in the said Schedules, in conjunction with any Borough, to any retired Officer or servant, or to the widow or child of any Officer or servant, and all Stipends and Allowances which, during Seven Years next before the said Fifth 25
day of June have been usually paid and granted to the Minister or late Minister of any church or chapel, or to the Master or Usher of any school, or to the Governor or Master of any hospital within such Borough, and all charitable allowances which have been usually paid as aforesaid to the Inmates of any almshouses by such Corporate 30
Body, shall be secured, as soon as conveniently may be after the passing of this Act, to every Person entitled or accustomed to have and receive the same by bond or obligation under the common seal of the Borough, out of whose Funds the same shall be payable, in a sufficient penalty conditioned for the payment to such Person, his 35
executors and administrators, of such pension, stipend or allowance, with all arrears thereof, if any, accrued due before the date of such bond; and such bond or obligation shall be prepared and executed at the expense of the Borough Fund.

69.

Power to
Council to
appoint
Committees.

And be it Enacted, That it shall be lawful for the Council of any 40
Borough to appoint out of their own body from time to time, such and so many Committees, either of a general or special nature, and consisting of such number of Persons as they may think fit, for any purposes

purposes which, in the discretion of such Council, would be better regulated and managed by means of such Committees: Provided always, That the acts of every such Committee shall be submitted to the Council for their approval.

70.
Charitable
Trustees.

5 AND whereas it is expedient that the administration of any real
or personal estate of which any Body Corporate now stand seised
or possessed, in trust as to the whole or in part for certain charitable
trusts, be kept distinct from that of the Public Stock and Borough
Fund; BE it Enacted, That in every Borough in which the Body
10 Corporate or any one or more of the members of such Body Corporate,
in his or their corporate capacity, now stands or stand solely or
together with any Person or Persons elected solely by such Body
Corporate, or solely by any particular member, class or description
of members of such Body Corporate, seised or possessed for any estate
15 or interest whatsoever, of any hereditaments or any sums of money,
chattels, securities for money, or any other personal estate whatsoever,
in whole or in part, in trust or for the benefit of any charitable uses
or trusts whatsoever, all the estate, right, interest and title, and all
the powers of such Body Corporate, or of such member or members,
20 nominee or nominees of such Body Corporate in respect of the said
uses and trusts, shall continue in the Persons who at the time of the
passing of this Act are such Trustees as aforesaid, notwithstanding
that they may have ceased to hold any office by virtue of which,
before the passing of this Act, they were such Trustees, until the First
25 day of May, in the year next after the year in which this Act shall
come into operation in such Borough, or until Parliament shall
sooner otherwise order, and shall immediately thereupon utterly cease
and determine: Provided always, That if any vacancy shall be
occasioned among the Charitable Trustees for any Borough before the
30 said First day of May, it shall be lawful for the Lord Chancellor of
Ireland, or Lords Commissioners for the custody of the Great Seal
then for the time being, upon petition in a summary way, to appoint
another Trustee to supply such vacancy; and every Person so appointed
a Trustee as last aforesaid, shall be a Trustee until the time at which
35 the Person in the room of whom he was chosen would regularly have
ceased to be a Trustee, and he shall then cease to be a Trustee: Pro-
vided also, That if Parliament shall not otherwise direct, on or before
the said First day of May, the Lord Chancellor of Ireland, or Lords
Commissioners of the Great Seal, then shall make such orders as he
or they shall see fit for the appointment of a Trustee or Trustees, and
40 the administration of such trust estate, subject to such charitable uses
or trusts as aforesaid; and thereupon the Trustee or Trustees so
appointed, shall come in the room of the Body Corporate, or of such
member or members, nominee or nominees of such Body Corporate
as aforesaid, as to such trust estates, hereditaments and premises; and

all the estate, right, interest and title at law and in equity of and in such trust estates, hereditaments and premises, shall forthwith, without any conveyance or assignment thereof, pass to and be vested in the Trustee or Trustees so appointed by the Lord Chancellor or Lords Commissioners of the Great Seal in Ireland.

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71.

Council to become Visitors and Trustees of all Acts of which Corporators were ex officio sole Trustees, &c.

And be it Enacted, That from and after the time when this Act shall come into operation in any Borough, the Body Corporate of such Borough shall be Trustees for executing, by the Council of such Borough, the powers and provisions of all Acts of Parliament made before the passing of this Act (other than Acts made for securing charitable uses and trusts), and of all trusts (other than charitable uses and trusts) of which the Body Corporate, or any member or members of the said Body Corporate, in their corporate capacity, was or were sole Trustees before the time of the first election of Councillors in such Borough under this Act.

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72.

Council to appoint a limited number of Councillors to be Joint Trustees for certain purposes.

And be it Enacted, That from and after the time when this Act shall come into operation in any Borough in which a particular or limited number, class or description of members of the Body Corporate or of Persons appointed by the Body Corporate, was or were before the passing of this Act, Trustees jointly with other Trustees for the execution of any Act of Parliament, or of any trust, in which any particular or limited number, class or description of members or nominees of the Body Corporate, by any statute, charter, bye-law or custom, was or were before the passing of this Act lawfully appointed to, or exercised any powers, duties or functions whatsoever not otherwise herein provided for, and the continuance of which is not inconsistent with the provisions of this Act, the Council of such Borough, on the day named in such Act as last aforesaid, or in the deed or will by which such trust is created, for a new election, nomination or appointment of Trustees, or on which such new election, nomination or appointment has usually been made, (and if there shall be no such day named or usually served, then on the First day of January in every year), shall appoint the like number of Members of the Council, or as near as may be to the like number of Members of the Council, as there were theretofore members or nominees of such Corporate Body who in right of their office were such Trustees, or charged with the execution of such powers, duties and functions; in room of the members or nominees of such Corporate Body ceasing to be Trustees, or ceasing to exercise such powers, duties and functions by virtue of this Act, and in every case of extraordinary vacancy among the Trustees or Persons so appointed by the Council, shall forthwith appoint one other Member of the Council in the room of the Person by whom such vacancy has been made, and to hold his trust or office for such time as the

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Person

Person by whom such vacancy has been made would regularly have held it.

And be it Enacted, That notwithstanding any thing in this Act contained, every Member of any Body Corporate who in his corporate capacity, and every nominee of any Body Corporate, or any particular number, class or description of Members of such Body Corporate, who at the time of the passing of this Act shall be for a definite number of years, or other shorter time, a Trustee of such acts or trusts as last aforesaid, shall continue to be such Trustee until the time when he would have ceased to be such Trustee if this Act had not been passed; and if a Trustee for an indefinite time, or for life, or for so long as he shall be a member, or of a particular class or description of such Body Corporate, then until the First day of January in the year following that in which this Act shall come into operation in that Borough, and no longer; and every member of the Council appointed under the provisions of this Act to be a Trustee of such acts or trusts as last aforesaid, shall continue to be such Trustee until the time herein provided for the new appointment of a Member of the Council to be Trustee in his room, notwithstanding that he may have ceased to be a Member of the Council; and in case any particular Member or Officer of any of the said Bodies Corporate shall have been appointed by any such Act, or by any such Trust, Deed or Will as last aforesaid, to perform during a definite number of years or other shorter time any specific powers, duties or functions whatsoever, the Person who at the time of the passing of this Act shall be the Person designated and qualified to perform the same, shall continue to perform the same until the time when he would have ceased to perform the same if this Act had not passed; and if appointed for an indefinite time, or for life, or for so long as he shall be a Member, or of a particular class or description of such Body Corporate, then until the last-named First day of January, and no longer.

73.
Present
Trustees of
certain Acts
continued for
a definite
time.

AND whereas it may be expedient that the powers now vested in the Trustees appointed under sundry Acts of Parliament for paving or lighting, or cleansing, or supplying with water, or improving certain Boroughs, or certain parts thereof, save and except as hereinafter mentioned, should be transferred to and vested in the Councils of such Boroughs respectively; BE it Enacted, That the Trustees appointed by virtue of any such Act as last aforesaid, wherein the Trustees, or the Persons whose Trustees they may be, are not beneficially interested, may, if it shall seem to them expedient, at a meeting to be called for that purpose, transfer in writing all the powers vested in them as such Trustees, by any such Act or Acts as aforesaid, to the said Body Corporate of such Borough;

74.
Powers vested
in Trustees
may be trans-
ferred to
Councillors.

and the said Body Corporate of such Borough shall thenceforth be Trustees for executing, by the Council of such Borough, the several powers and provisions of any such Act or Acts of Parliament, and the Members of the Council shall have the same powers and be subject to the same duties as if their names had been originally inserted in such Act or Acts (or as if they had been elected under the provisions of any such Act or Acts) as such Trustees respectively: Provided always, That nothing herein contained shall extend to enable the Commissioners for paving, cleansing and lighting the streets of Dublin, or the Commissioners for making wide and convenient streets in the City of Dublin, or the Corporation for improving the port and harbour of Dublin, so to transfer the powers vested in them respectively.

75.
A Watch
Committee to
consist of the
Mayor and
Councilmen;
such Com-
mittee to ap-
point Con-
stables for the
Borough.

And be it Enacted, That the Council to be elected for any Borough, the City of Dublin only excepted, shall, immediately after their first election, and so from time to time thereafter as they shall deem expedient, appoint, for such time as they may think proper, a sufficient number of their own body, who, together with the Mayor of the Borough for the time being, shall be and be called the Watch Committee for such Borough; and all the powers hereinafter given to such Committee may be executed by the majority of those who shall be present at any meeting of such Committee, the whole number present at such meeting being not less than Three; and such Watch Committee shall, within Three Weeks after their first formation, and so from time to time thereafter as occasion shall require, appoint a sufficient number of fit men, who shall be sworn in before some Justice of the Peace having jurisdiction within the Borough, to act as Constables for preserving the peace by day and by night, and preventing robberies and other felonies, and apprehending offenders against the peace; and the men so sworn shall, not only within such Borough, but also within the County in which such Borough or part thereof shall be situated, and also within every County being within One mile of any part of such Borough, and also within all Liberties in any such County, have all such powers and privileges and be liable to all such duties and responsibilities as any Constable duly appointed now has or hereafter may have within his Constablewick by virtue of the Common Law of his realm, or of any Statutes made or to be made, and shall obey all such lawful commands as they may from time to time receive from any of the Justices of the Peace having jurisdiction within such Borough, or within any County in which they shall be called on to act as constables, for conducting themselves in the execution of their office.

Constables
to be for the
County, &c.
as well as
Borough.

76.
Watch Com-
mittee to
make Regula-

And be it Enacted, That the Watch Committee for any such Borough as aforesaid may from time to time frame such Regulations

as

as they shall deem expedient for preventing neglect or abuse, and for rendering such Constables efficient in the discharge of their duties; and the said Committee, or any Two Justices of the Peace having jurisdiction within the Borough, may at any time suspend or dismiss
 5 any Constable whom they shall think negligent in the discharge of his duty, or otherwise unfit for the same; and when any man shall be so dismissed, or cease to belong to the said Constabulary Force, all powers vested to him as a Constable by virtue of this Act shall immediately cease; and no man so dismissed as aforesaid shall be
 10 re-appointed without the consent of Two of the Justices of the Peace having jurisdiction within the Borough.

tions for the Management of the Constables.

And be it Enacted, That it shall be lawful for any Constable, during the time of his being on duty, to apprehend all idle and disorderly Persons whom he shall find disturbing the public peace, or whom
 15 he shall have just cause to suspect of an intention to commit a felony, and deliver any person so apprehended into the custody of the Constable appointed under this Act, who shall be in attendance at the nearest Watch-house, in order that such Person may be secured until he can be brought before a Justice of the Peace, to be dealt
 20 with according to law, or may give bail for his appearance before a Justice of the Peace, if the Constable shall think fit to take bail, in the manner hereinafter mentioned.

77.
Power to Constables to apprehend disorderly Persons, &c,

And be it Enacted, That where any Person charged with any petty misdemeanor shall be brought, without the Warrant of a Justice
 25 of the Peace, into the custody of any Constable appointed under this Act, during his attendance in the night-time at any Watch-house within any such Borough as aforesaid, it shall be lawful for such Constable, if he shall think fit, to take bail by Recognizance, without any fee or reward, from such Person, conditioned that such
 30 Person shall appear for examination within Two Days before a Justice of the Peace within the Borough, at some time and place to be specified in the Recognizance; and every Recognizance so taken shall be of equal obligation on the parties entering into the same, and liable to the same proceedings for the estreating thereof, as if the
 35 same had been taken before a Justice of the Peace; and the Constable shall enter in a book to be kept for that purpose in every Watch-house, the names, residence and occupation of the party, and his surety or sureties, if any, entering into such Recognizance, together with the condition thereof, and the Sums respectively ac-
 40 knowledged, and shall lay the same before such Justice as shall be present at the time and place when and where the party is required to appear; and if the party does not appear at the time and place required, the Justice shall declare such Recognizance forfeited, and shall issue his Warrant, directing the amount thereof to be paid to

78.
Constables attending at the Watch-houses in the night may take Bail by Recognizance from Persons brought before them for petty Misdemeanors; such Recognizance to be conditioned for the appearance of the Parties before a Magistrate.

In default of appearance, Recognizance to be forfeited.

Time of hearing may be postponed.

the Treasurer of said Borough, and in default of payment, directing the Person mentioned therein to levy off the goods and chattels of the Person named therein, the amount secured thereby, and the costs of the sale and of such warrant, and the same shall be levied and paid to the Treasurer of said Borough; and the Justice shall, if he shall think fit, be at liberty to enlarge the Recognizance to such further time as he shall appoint; and when the matter shall be heard and determined, either by the dismissal of the complaint, or by binding the party over to answer the matter thereof at the Sessions, or otherwise, the Recognizance for the appearance of the party before a Justice shall be discharged without fee or reward.

79.
Penalties on Constables for neglect of duty.

And be it Enacted, That if any Constable of any Borough shall be guilty of any neglect of duty, or of any disobedience of any lawful order, every such offender, being convicted thereof before any Two Justices of the Peace, shall for every such offence be liable to be imprisoned for any time not exceeding Ten Days, or to be fined in any sum not exceeding Forty Shillings, or to be dismissed from his office, as such Justices shall in their discretion think meet.

80.
Penalty for assaults on Constables.

And be it Enacted, That if any Person shall assault or resist any Constable of any Borough appointed under this Act in the execution of his duty, or shall aid or incite any Person so to assault or resist, every such offender, being convicted thereof before any Two Justices of the Peace, shall for every such offence be liable to be imprisoned for any time not exceeding Two Months, or to be fined such sum not exceeding Five Pounds as the said Justices shall think meet: Provided always, That nothing herein contained shall prevent any prosecution by way of indictment against any Person so offending, but so as that such Person shall not be prosecuted by indictment, and also proceeded against under this Act for the same offence.

Proviso.

81.
Regulation and Payment of Expenses.

And be it Enacted, That the Treasurer of every Borough shall pay to the Constables of such Borough appointed under this Act such salaries, wages and allowances, and at such periods, as the Watch Committee for such Borough shall, subject to the approbation of the Council, direct; and the Council shall order to be paid also any extraordinary expenses which such Persons shall appear to have necessarily incurred in apprehending offenders and executing the orders of any Justice of the Peace having jurisdiction within such Borough, such expenses having been first examined and approved of by such Justice; and the said Treasurer shall also pay such further sums as the Watch Committee shall, subject to the approbation of the Council, award to any of the Persons belonging to the said Constabulary Force as a reward for extraordinary diligence or exertion, or as a compensation for wounds or severe injuries received in the performance

Rewards for activity, &c.

formance of their duty, or as an allowance to such of them as shall be disabled by bodily injury received, or shall be worn out by length of service, and all other charges and expenses which the Watch Committee shall, subject to the approbation of the Council, direct to be paid for the purposes of the Constabulary Force under this Act.

And be it Enacted, That any Two or more of the Justices of the Peace having jurisdiction within any Borough are hereby authorized and required, in the month of January in every year, to nominate and appoint, by precept in writing under their hands, so many as they shall think fit of the Inhabitants of such Borough (not legally exempt for serving the office of Constable) to act as Special Constables within such Borough, whensoever they shall be required by the warrant of any of the Justices of the Peace having jurisdiction within such Borough so to act, and not otherwise; and every such warrant shall recite that in the opinion of the Justice granting the same, the ordinary Police Force of the Borough is insufficient at that time to maintain the peace of the Borough; and every Person so appointed a Special Constable shall take the Oath set forth in the Act passed in the Session of Parliament holden in the second and third years of the reign of his late Majesty, intituled, "An Act for amending the Laws in Ireland relative to the appointment of Special Constables, and for the better preservation of the Peace," and shall have the powers and immunities and be liable to the duties and penalties enacted by the said last-mentioned Act; and every person so appointed a Special Constable shall receive out of the Borough Fund for every day during which he shall be called out to act as such, the sum of Three Shillings and Sixpence, and no more.

And be it Enacted, That as soon as Constables shall have been appointed by the Watch Committee for any Borough, a Notice, signed by the Mayor of such Borough, specifying the day on which such Constable shall begin to act, shall be fixed on the door of the Town Hall and every place of public worship within such Borough; and on the day so specified in such notice so much of all Acts named in conjunction with such Borough in the Schedule (D.) to this Act annexed, and of all Acts made before the passing of this Act, as relates to the appointment, regulation, powers and duties, or to the assessment or collection of any rate to provide for the expenses of any Watchmen, for any place or places situate within such Borough, shall cease and determine; and all watch-houses and watch-boxes in any such place or places, and all arms, accoutrements and other necessities provided at the public expense for any Watchmen therein, shall be given up to such Persons as shall be named by the said Mayor in such notice, for the use and accommodation of the Con-

82.

Magistrates to appoint annually a certain number of Persons to act as Special Constables in case of need.

2 & 3 W. 4.
c. 108.

Payment of Special Constables.

83.

On notice of appointment of Constables, the present provisions in Local Acts, as to watching, &c. to cease.

Watch-boxes Arms, &c., to be given up for the use of the Constables appointed under this Act.

Penalty for
not giving
them up.

stables to be appointed under this Act; and all the property so to be given up shall be deemed to belong to the Body Corporate of such Borough; and in case any person having the charge, control or possession of any watch-house, watch-box, arms, accoutrements or necessities as aforesaid, shall neglect or refuse to give up the same 5 as hereinbefore required, every such offender, being convicted thereof before any Two Justices of the Peace, shall for every such offence forfeit and pay, over and above the value of the property not given up, such sum, not exceeding Five Pounds, as the said Justices shall think meet; and where there shall be any building in 10 such place as aforesaid, a part only of which building shall have been heretofore used as a watch-house, such part shall be given up every day from the hour of Four in the afternoon until the hour of Nine in the forenoon, for the use and accommodation of the Constables to be appointed under this Act; and if any Person, having the charge, 15 control or possession of any such building, shall neglect or refuse to give up such part thereof for the purposes aforesaid, or to permit free access thereto or egress therefrom during any portion of the time above prescribed, every such offender, being convicted thereof before any Two Justices of the Peace, shall for every such offence forfeit 20 and pay such sum, not exceeding Five Pounds, as the said Justices shall think meet: Provided however, That nothing herein contained shall be construed to extend to or to affect the power of any Magistrate or Officer of Police appointed or acting under the provisions of an Act passed in the sixth year of the reign of his said late Majesty, 25 intituled, "An Act to consolidate the Laws relating to the Constabulary Force in Ireland."

6 W. 4. c. 13.

84.
Proviso as to
Rates in Ar-
rear and as to
Debts.

Provided always, and be it Enacted, That any Rate or Presentment for defraying the expenses of any Watchmen in any such place or places as aforesaid, made previously to the day specified in such 30 notice as aforesaid, shall be levied and collected in the same manner as if this Act had not been passed: Provided also, That nothing herein contained shall prevent the making, levying and collecting of any Rate or Presentment in any such place or places as aforesaid, for the purpose of paying any debt contracted before the passing of 35 this Act, or the interest of any such debt, but that such Rate or Cess shall and may be levied and collected in the same manner as if this Act had not been passed.

85.
Regulations
to be observe
by Watch
Committee.

And be it Enacted, That the Watch Committee of every such Borough shall on the Tenth day of January, the Tenth day of April, 40 the Tenth day of July, and the Tenth day of October in every year, transmit to the Lord Lieutenant of Ireland a Report of the number of men appointed to act as Watchmen in such Borough, and of the description of arms, accoutrements and clothing and other necessa-
ries

ries furnished to each man, and of the salaries, wages and allowances payable to such Watchmen, and of the number and situation of all station-houses in such Borough, and also a copy of all rules, orders and regulations which shall from time to time be made by such Watch Committee, or by the Council of such Borough, for the regulation and guidance of such Watchmen.

AND whereas by the said Act passed in the sixth year of the reign of his said late Majesty, intituled, "An Act to consolidate the Laws relating to the Constabulary Force in Ireland," it is among other things enacted, that it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland to appoint from time to time at his will and pleasure, in and for each Barony, Half of Barony or other division of Barony in each County at large, one Chief Constable, two Head Constables and any number of Constables and Sub-constables not exceeding Sixteen: AND whereas the Force thereby provided is less than may in some cases be required in Baronies which comprize large Towns: AND whereas it is reasonable that the expense of the additional Force required in such Towns should be borne by such Towns, and not by the Counties at large in which they are situated; BE it therefore Enacted, That if any Council of any Borough named in the Schedule (A.) to this Act annexed, shall think it necessary that an additional Constabulary Force should be stationed in such Borough above the proportion of the said Force therein stationed under the provisions of the said last-recited Act, it shall be lawful for the Council of such Borough to present a Memorial to the Lord Lieutenant, setting forth the additional Constabulary Force which is required for the said Borough; and thereupon it shall be lawful for the Lord Lieutenant to add to the Constabulary Force of the County or Counties wherein such Borough shall be situated, any such number of Constables, Sub-constables and Officers of said Force not exceeding the number required by the said Council in their Memorial, as he shall think fit; and the amount of the Constabulary Force stationed in the said Borough shall be increased accordingly, and such additional Force shall form part of the general Constabulary Force, and be subject in all respects to the same rules and discipline as the residue of the said Force.

86.
Provision for
additional
Constabulary
Force.

And be it Enacted, That the expense of the said additional Force shall be advanced and defrayed in like manner as the expenses of the Force appointed by the last-recited Act are to be advanced and defrayed: Provided however, That no part of the expense of such increased Force shall be borne by the County or Counties at large in which such Borough shall be situated; but the said Borough for whose service the said increase shall be made, shall bear such proportion of such expenses as the Counties at large under the said last-recited Act are

87.
Payment of
the additional
Constabulary
Force.

bound to contribute towards the expenses of the Constabulary Force appointed for this service; and such expenses shall be paid out of the Borough Fund, and shall be paid by the Treasurer of the Borough to the person authorized to receive the monies which the County at large in which such Borough shall be situated is liable to pay towards the expenses of the said Force; and when any such Borough shall be situated in more than one County, then the Treasurer shall pay the said sums to such of the persons authorized to receive such payments from any of the said Counties as the Inspector-General of the Constabulary Force shall direct: Provided always, That it shall be lawful for the Lord Lieutenant, at any time he shall think fit, to reduce either in the whole or part the said additional Force; and it shall be also lawful for the Council of the said Borough in which such additional Force shall have been stationed, to present from time to time a Memorial to the Lord Lieutenant, stating that they are desirous that the said Force should be reduced in the whole or in part; and thereupon the Lord Lieutenant shall within Twelve calendar Months from the presentation of the said Memorial make the required reduction in the said Force.

88.

Power for Council to order parts of Borough, not within Local Acts, as to lighting, to be included in such Act.

AND whereas parts of certain Boroughs are within the provisions of one or more Local Act or Acts for regulating the lighting thereof, and certain other parts of the same Boroughs are not within the provisions of any Local Act for regulating the lighting thereof, and for want of such lighting the efficiency of the Watchmen may be much diminished, and great facilities afforded for the commission of crimes, and for the escape of the offenders; For Remedy thereof, BE it Enacted, That it shall be lawful for the Council of any Borough, in any part of which there is a Local Act for the lighting thereof, to make an order that any part of such Borough, not being within the provisions of any Local Act for the lighting thereof, shall, from and after a certain day to be named in such order, be taken to be within the provisions of such Local Act or Acts for lighting any part of such Borough as the Council shall specify in such order; and after such day the part named in such order shall be within the provisions of the Act or Acts so specified, so far as relates to lighting, or to any rates authorized to be levied for the purpose of lighting, as fully as if such part had been originally named in such Act or Acts, any thing in such Act or Acts to the contrary notwithstanding: Provided always, That every part named in such order shall be lighted in the like manner as those parts which before the making of such order were within the provisions of such Local Act, and that the Rate to be raised for the purpose of defraying the expenses of lighting any part so named in such order, shall not exceed the average expense in the pound of the lighting of the other parts of such Borough.

Proviso as to amount of Rate for lighting.

And

And be it Enacted, That if the Council of any Borough chosen under this Act shall, by public notice to be affixed on the outer door of the Town Hall, or in some public place within the Borough, declare, that on a certain day, to be named in such notice, not less than

5 Twenty-one Days after the day on which such public notice shall have been given, they will take upon themselves the powers given to the Commissioners under an Act, made in the ninth year of the reign of his Majesty, King GEORGE the Fourth, intituled, "An

10 Act to make Provision for the lighting, cleansing and watching of Cities, Towns Corporate and Market Towns in Ireland, in certain cases," so far as relates to the lighting of any part of such Borough, which is not within the provisions of any Local Act for lighting the same, the Council of such Borough shall, after the day named in

15 such notice, have the same powers and duties as belong to Commissioners under the said last-recited Act, in regard to lighting and to levying rates for the purpose of lighting such part of the Borough, except so far as the same are contrary to or inconsistent with the provisions of this Act.

89.
Council may assume the Powers of Commissioners under 9 Geo. 4. c. 82. for paving, lighting or cleansing Streets of any Borough.

And be it Enacted, That the Council of every Borough, except the

20 City of Dublin, shall in every year before the Tenth day of January cause an estimate and valuation to be made of the like property and in the same manner as the Commissioners appointed under the said recited Act of the ninth year of the reign of his Majesty King GEORGE the Fourth were authorized and required to do, which shall

25 have the force and effect for One Year, from the Tenth day of January in every year in which it shall have been made, of any Estimate or Valuation made under the said Act; and in case any Person shall think that such Estimate is erroneous, either as being an excessive Estimate of property belonging to him, or an insufficient Estimate of

30 property belonging to another, it shall be lawful for such Person at any time before the First day of February then next to appeal against such Estimate, and he shall in that case before that day deliver to the Town Clerk of such Borough a Notice signed by him, specifying which of the said objections to such Estimate he complains; and such

35 Appeal shall be heard and determined in every Borough in which there shall be a Recorder under this Act by the Recorder of the Borough at the sitting of his Court held next after the expiration of Ten Days from the said First day of February; and when there shall be no such Recorder, it shall be heard and determined by the Assistant

40 Barrister of the County having jurisdiction to hear and determine suits by Civil Bill for the district in which the property estimated shall be situated, at the Sessions held for such district next after the expiration of the said Ten Days; and such Recorder or Barrister shall have power to award to or against the Person appealing such costs, not exceeding Ten Shillings, as he shall think fit, and to issue a decree

90.
And (except in Dublin) make Estimate and Valuation of Property.

Appeal against such Estimate.

against the party appealing for any costs awarded against him, which shall have the force of a decree in a suit by Civil Bill; and in case he shall award costs to be paid to him, to make an order on the Treasurer of such Borough to pay the sum out of the Borough Rate, which order the said Treasurer shall obey; and the determination of such Recorder or Barrister shall be conclusive: Provided, however, That no such Recorder or Barrister shall entertain such appeal without proof that such notice as aforesaid was given; and provided also, That he shall not have power to inquire into any objection to such Estimate, save the one specified in such notice; and that if such appeal shall not be prosecuted effectually by the Person appealing, the Estimate shall be taken to be conclusive, notwithstanding such notice.

1.
Council to
have power
to make
Bye-laws.

And be it Enacted, That it shall be lawful for the Council of any Borough to make such Bye-laws as to them shall seem meet for the good rule and government of the Borough, and for prevention and suppression of all nuisances as are not already punishable under any Act already in force throughout such Borough, and to appoint by such Bye-laws such fines as they shall deem necessary for the prevention and suppression of such offences; provided, that no fine so to be appointed shall exceed the sum of Five Pounds, and that no such Bye-law shall be made unless at least Two-thirds of the whole number of the Council shall be present: Provided also, That no such Bye-law shall be of any force until the expiration of Forty Days after the same or a copy thereof shall have been sent, sealed with the seal of the said Borough, to the Lord Lieutenant, and shall have been affixed on the outer door of the Town Hall, or in some other public place within such Borough; and if at any time within the said period of Forty Days the Lord Lieutenant, with the advice of the Privy Council of Ireland, shall disallow the same Bye-law or any part thereof, such Bye-law or the part thereof disallowed shall not come into operation: Provided also, That it shall be lawful for the Lord Lieutenant, at any time within the said period of Forty Days, to enlarge the time within which such Bye-laws, if disallowed, shall not come into force; and no such Bye-law shall, in that case, come into force until after the expiration of such enlarged time.

92.
CLAUSE (N.)
Bye-laws to
be printed.

And be it Enacted, That the Town Clerk of every Borough shall, under the directions of the Council thereof, cause all the Bye-laws and Regulations in force in such Borough from time to time to be printed in a uniform and convenient form, and shall keep copies thereof publicly affixed in the office of such Town Clerk, and in every public office and court of such Borough, of or belonging to or connected with the Corporation thereof, for the free and open inspection of all Persons, without any fee, at all reasonable hours;

hours; and shall deliver a copy of such Bye-laws and Regulations to any Person requiring the same, on payment of such reasonable price for the same as the Council shall from time to time direct; and if any Person shall wilfully and maliciously pull down, destroy
 5 or deface any copy of such Bye-laws and Regulations, which shall be so affixed as aforesaid, such Person shall for every such offence forfeit and pay any sum not exceeding Twenty Shillings: Provided further, That no Bye-law to be made by the Council of the Boroughs of Coleraine and Londonderry respectively shall be sent
 10 to the Lord Lieutenant until the same shall have been approved of by the Honourable Society of the Governor and Assistants of London of the new Plantation in Ulster, within the realm of Ireland.

And be it Enacted, That all the provisions hereinafter contained relative to offences against this Act, punishable upon summary conviction,
 15 shall be taken to apply to all offences committed in breach of any Bye-law or Regulation made by virtue of this Act.

And be it Enacted, That after the election of the Treasurer in any Borough, the rents, issues and profits of all hereditaments, estates and tenements, and the interest, dividends and annual proceeds of all
 20 monies, dues, chattels and valuable securities, except those held upon charitable trusts as aforesaid, belonging or payable to any Body Corporate named in conjunction with the said Borough in the said Schedules (A.) and (B.), or to any Member or Officer thereof in his corporate capacity, and every fine or penalty for any offence
 25 against this Act (the application of which has not been herein provided for) shall be paid to the Treasurer of such Borough; and all the monies which he shall so receive shall be carried by him to the account of a fund to be called "The Borough Fund."

And be it Enacted, That the Treasurer of any Borough shall
 30 pay no Money on account of the Mayor, Aldermen and Burgesses of such Borough, save only in such case as is provided by this Act, or upon the order in writing of the Council, signed by Three or more Members of the Council, and countersigned by the Town Clerk of such Borough, or for the payment of the Salaries granted to
 35 any Recorder or Police Magistrate as hereinafter provided, or by order of the Court of Sessions of the Peace for the Borough, or of a Justice of the Peace acting in and for the Borough in the discharge of his judicial duty, in such case as is provided by this Act, or in such case as a Court of Sessions of the Peace for any County, or a
 40 Justice of the Peace acting in and for a County in the discharge of his judicial duty, may make an Order for the payment of Money on the Treasurer of such County.

93.
As to breaches
of Bye-laws.

94.
All Corporate
Property,
and all Fines,
to be received
on account of
the Borough
Fund.

95.
Treasurer to
pay no money
but by Order
of Council.

96.

Salaries of
Recorder,
Town Clerk,
Treasurer and
other Officers,
and Election
Expenses, to
be paid out of
such Fund.

And be it Enacted, That the Borough Fund, subject to the payment of any lawful debt due from such Body Corporate to any Person, which shall have been contracted before the passing of this Act, and unredeemed, or of so much thereof as the Council of such Borough from time to time shall be required, or shall deem it expedient to 5
redeem, and to the payment from time to time of the interest of so much thereof as shall remain unredeemed, and saving all rights, interests, claims or demands of all Persons or Bodies Corporate in or upon the real or personal estate of any Body Corporate by virtue of any proceedings either at law or in equity, which have been already 10
instituted, or which may be hereafter instituted, or by virtue of any mortgage or otherwise, shall be applied towards the following purposes ; that is to say, the payment of the salary of the Mayor and of the Recorder, and of the Police Magistrate, hereinafter mentioned, when there is a Recorder or Police Magistrate, and of the respective salaries of the 15
Town Clerk and Treasurer, and of every other Officer whom the Council shall appoint, and also toward the payment of the expenses incurred from time to time in preparing and printing Burgess Rolls and Ward Lists and Notices, and in other matters attending such elections as are herein mentioned, and in Boroughs which shall have a separate 20
Court of Sessions of the Peace, as is hereinafter provided, towards the expenses of the prosecution, maintenance and punishment of offenders committed from the Borough for trial at the Sessions of the Peace for such Borough, and towards the expense of providing and maintaining the corporate buildings, and in all Boroughs, save the 25
City of Dublin, towards the paving, cleansing and lighting the streets of said Borough, and towards supplying the inhabitants with water, the payment of the watchmen, maintaining the peace and good order, and of all other municipal expenses which shall be necessarily incurred in carrying into effect the provisions of this Act; and in 30
case the Borough Fund shall be more than sufficient for the purposes aforesaid, the surplus thereof shall be applied, under the direction of the Council, for the public benefit of the inhabitants and improvement of the Borough.

97.

Tolls or Dues
payable before
the passing of
this Act not to
be altered or
reduced until
payment of
the Debt
chargeable
thereon.

Provided always, and be it Enacted, That it shall not be lawful 35
for the Council to be elected under the provisions of this Act in any Borough in which the Body Corporate, named in conjunction with the said Borough in the said Schedules (A.) and (B.), before the time of the passing of this Act, shall have contracted any lawful debt, chargeable on any tolls or dues belonging or payable to the 40
said Body Corporate, or to any Member or Officer thereof, in his corporate capacity, or towards the satisfaction whereof such tolls or dues, or any part thereof, were applicable before the passing of this Act, to alter or reduce the amount to be levied and payable of such tolls or dues, or to grant for any consideration any remission of or exemption

5 exemption from such tolls or dues, or any part thereof, unless with the consent in writing, under the hands of a majority in number and amount of the creditors to whom such debt is due, until after such debt and all arrears of interest due thereon shall have been fully paid and satisfied.

10 And be it Enacted, That, in case after payment of all debts due from such Body Corporate, and contracted before the passing of this Act, and after satisfaction of all lawful claims upon the real and personal estate of such Body Corporate, the Borough Fund shall not be
15 sufficient for the purposes aforesaid, or in case there shall be no Borough Fund, the Council of the Borough is hereby authorized and required from time to time to estimate, as correctly as may be, what amount, in addition to such fund, or when there shall be no such fund, will be sufficient for the payment of the expenses to be incurred in
20 carrying into effect the provisions of this Act; and in order to raise the amount so estimated, and also for the purpose of defraying the expenses of putting this Act into execution which may have been incurred before the making of any Borough Rate, the said Council is hereby authorized and required from time to time to order a Borough
25 Rate to be made within their Borough, and for that purpose the Council of such Borough shall have within their Borough all the powers and authorities which any Commissioners in any Borough in Ireland have within the limits of their commission, by virtue of the said last-recited Act of the ninth year of the reign of his Majesty King GEORGE the Fourth, and shall observe and preserve the provisions thereof as if the same were herein recited, or as near thereto as the nature of the case will admit, except as is hereinafter excepted; and all such sums levied in pursuance of such Borough Rate shall be paid over to the account of the Borough Fund.

98.
Council authorized to raise Funds for payment of Expenses incurred in carrying this Act into execution.

30 Provided always, and be it Enacted, That in every case in which before the passing of this Act any Rate might be levied in any Borough, save the City of Dublin, for the purpose of watching solely by day or by night, or for the purpose of watching by day or by night conjointly with any other purpose, it shall be lawful for the
35 Council of such Borough to levy a Watch Rate, not greater than the average yearly rate which, during the last Seven Years, or where such Rate shall not have been levied during Seven Years, then during such less number of years as such Rate shall have been levied, shall have been levied for the maintenance and establish-
40 ment of Watchmen within the district in which such Rate was levied, and for that purpose the Council shall have all the powers hereinbefore given to the Council in the matter of the Borough Rate, and all such powers as were at the time of the passing of this Act vested in any Person or Persons for imposing or levying any such Rate; and where any part of any Borough shall not at the time of the passing of this Act be within the provisions of the Act authorizing the levy of such Rate for

99.
Council authorized to levy a Watch Rate.

watching as aforesaid, it shall be lawful for the Council from time to time to order that such part, or so much thereof as to the Council shall seem fit, shall be rated to the Watch Rate in like manner as other parts of the Borough to be specified in such order; and such Watch Rate thereupon shall be levied within the part mentioned in such order, 5 in like manner as in the other parts of the Borough so specified; and all such sums levied in pursuance of such Watch Rate shall be paid over to the account of the Borough Fund: Provided always, That no such order as last aforesaid shall be made for rating to such Watch Rate any part of any Borough in which at the time of passing this 10 Act such Rate as aforesaid shall not be levied, and which is more than Two hundred Yards distant from any street or continuous line of houses which shall be regularly watched within the Borough under the provisions of this Act.

100.

Act not to render Corporate Property liable for Debts not chargeable thereon, nor to authorize the levy of new Rates for payment of Debts.

And be it Enacted, That nothing in this Act contained shall be 15 construed to render liable to the payment of any debt contracted before the passing of this Act by any Body Corporate any part of the real or personal estate of the said Body Corporate which before the passing of this Act was not liable thereto, or to authorize the levy of any Rate within any part of any Borough for the purpose 20 of paying any debt contracted before the passing of this Act, which before the passing of this Act could not lawfully be levied therein towards the payment of the same.

101.

Accounts of Receipts and Disbursements to be kept, audited and published.

And be it Enacted, That the Treasurer of every Borough shall, 25 in Books to be kept for that purpose, enter true accounts of all sums of money by him received and paid on account of the purposes of this Act, and of the several matters for which such sums shall have been paid; and the books containing such Accounts shall at all reasonable times be open to the inspection of the Mayor or any of the Aldermen or Councillors of such Borough; and all the 30 Accounts, with all vouchers and papers relating thereto, shall in the Months of March and September in every year, be submitted by the Treasurer of the Borough to the Auditors hereinbefore provided to be elected, and to such Member of the Council as the Mayor shall name as a third Auditor on the First day of March in every year, 35 or in case of extraordinary vacancy within Ten Days next after such vacancy, for the purpose of being examined and audited, from the First day of September in the year preceding to the First day of March, and from the First day of March to the First day of September in the year in which the said Auditors were elected and named; and 40 if the said Accounts shall be found to be correct, the Auditors shall sign the same; and after such Accounts shall have been so respectively examined and audited in the Month of September in every year, each Treasurer shall make out in writing, and shall cause to be printed, a full Abstract of his Accounts for the year, and a copy thereof

thereof shall be open to the inspection of all the Rate-payers of such Borough, and copies thereof shall be delivered to all Rate-payers of such Borough applying for the same on payment of One Shilling for each copy.

- 5 AND whereas many of the said Municipal Corporations in Ireland have been and now are seised and possessed of or entitled to divers lands, tenements and hereditaments, and the same have been granted to them and ought to be vested in them for the public benefit of the said Boroughs respectively; and it is expedient to
- 10 make further provision than now by law exists for preventing or remedying the waste and misapplication of such property, and of all other property which may hereafter be so granted to or acquired by Municipal Corporations for Municipal purposes; BE it Enacted, That in case of waste or misapplication of any such property, or of
- 15 any breach of trust in respect thereof, or wherever the direction, decree or order of a Court of Equity shall be deemed necessary for the due administration and application of any such property, it shall be lawful for Her Majesty's Attorney General for Ireland, or for any Two or more Burgesses of such Borough, to present a Petition to
- 20 the Court of Chancery or to the Court of Exchequer in Ireland, stating such complaint, and praying such relief as the nature of the case may require; and it shall be lawful for the Lord Chancellor, Lord Keeper or Lords Commissioners of the Great Seal, or the Master of the Rolls, for the time being, and for the Court of Ex-
- 25 chequer, and they are hereby required, to hear such Petition in a summary way, and to direct all such Persons as they shall consider necessary to answer to same, and if necessary to issue a Commission for the examination of Witnesses, and on their depositions, or upon affidavits, or such other evidence as shall be produced upon
- 30 such hearing, to determine the same, and to give such relief and make such order therein, and with respect to the costs of such application, and to enforce the same by Injunction or otherwise, as to him or them shall seem just; and such Order shall be final and conclusive, unless the Party or Parties who shall think himself or
- 35 themselves aggrieved thereby shall, within Two Years from the time when such Order shall have been passed and entered by the proper Officer, have preferred an Appeal from such decision to the House of Lords, to whom it is hereby Declared and Enacted that an Appeal shall lie from such Order.

102.
Property,
remedy for
misappli-
cation of.

- 40 And be it Enacted, That neither the Petitions nor any proceedings upon the same or relative thereto, nor the copies of any such Petitions or proceedings, shall be subject or liable to the payment of any Stamp Duty, charge for Chancery or other Court Fund, or other public charge whatever, save only the actual expense of
512. G making

103.
Proceedings
not liable to
Stamp Duty.

making a copy when any copy shall be required from any of such Courts.

104.
Power of
Sale and
Leasing
restrained.

And be it Enacted, That it shall not be lawful for the Council of any Body Corporate to be elected under this Act, to sell, mortgage or alienate the lands, tenements and hereditaments of the said Body Corporate, or any part thereof, except in pursuance of some covenant or contract or agreement bonâ fide made or entered into on or before the Fifth day of June in the year One thousand eight hundred and Thirty-five, by or on behalf of the Body Corporate of any Borough, or of some resolution duly entered in the corporation books of such Body Corporate on or before the said Fifth day of June, or to demise or lease, except in pursuance of some covenant, contract or agreement bonâ fide made or entered into on or before the said Fifth day of June, by or on behalf of such Body Corporate, or in pursuance of some resolution duly entered in the Corporation books of such Body Corporate, on or before the said Fifth day of June, except in the cases hereinafter mentioned, any lands, tenements or hereditaments of such Body Corporate or any part thereof, or to enter into any new contract or agreement, except in the cases hereinafter mentioned, for demising or leasing the said lands, tenements and hereditaments, or any part thereof, for any term exceeding Thirty-one Years from the time when such lease shall be made, or if made in pursuance of a previous agreement, then from the time when such agreement shall have been entered into; and in every lease which the said Council is not hereby restrained from making, there shall be reserved and made payable, except in the cases hereinafter mentioned, during the whole of the term thereby granted, such clear yearly rent as to the Council shall appear reasonable, without taking any fine for the same.

105.
Provision in
certain cases
of Leasing.

Provided always, and be it Enacted, That in all cases in which any Body Corporate shall, on the Fifth day of June in the year One thousand eight hundred and Thirty-five, have been bound or engaged by any covenant or agreement, express or implied, or have been enjoined by any deed, will or other document, or have been sanctioned or warranted by ancient usage, or by custom or practice, to make any renewal of any lease for years or for life or lives, or for years determinable with any life or lives, at any fixed or determinate or known or accustomed period, or after the lapse of any number of years, or on the dropping of any life or lives at a fine certain, or under any special or specific terms or conditions, and also in all cases in which any Body Corporate shall theretofore have ordinarily made renewal of any lease for years or for life or lives, or for years determinable with any life or lives at any fixed or determinate or known or accustomed period, or after the lapse of any

any number of years, or upon the dropping of any life or lives, upon the payment of an arbitrary fine, it shall be lawful for the Council of such Borough to renew such lease for such term or number of years, either absolutely or determinable with any life or lives, or for such life or lives, and at such rent, and upon the payment of such fine or premium, either certain or arbitrary, and with or without any covenant for the future renewal thereof, as such Body Corporate could or might have done in case this Act had not been passed: Provided nevertheless, That in every case in which such Council shall deem it expedient to sell and alienate, or to demise and lease for a longer term than Thirty-one Years, or upon different terms and conditions than those hereinbefore mentioned, any of the said lands, tenements or hereditaments, it shall be lawful for such Council to represent the circumstances of the case to the Commissioners of Her Majesty's Treasury, and it shall be lawful for such Council, with the approbation of the said Commissioners, or any Three of them, to sell, alienate and demise any of the lands, tenements and hereditaments of the said Body Corporate, in such manner and on such terms and conditions as shall have been approved by the said Commissioners: Provided always, That notice of the intention of the Council to make such application as aforesaid shall be fixed on the outer door of the Town Hall, or in some public or conspicuous place within the Borough, One calendar Month at least before such application; and a copy of the Memorial intended to be sent to the said Commissioners shall be kept in the Town Clerk's office during such calendar Month, and shall be freely open to the inspection of every Burgess at all reasonable hours during the same.

Provided nevertheless, and be it Enacted, That in any of the instances hereinafter mentioned it shall be lawful for the Council from time to time to demise and lease, or to enter into any contract or agreement for demising and leasing, either at a reserved rent or fine, or both, as the Council shall think fit, any of the said lands, tenements or hereditaments to any Person, Body Politic, Corporate or Collegiate, for any term not exceeding Seventy-five Years from the time of making such lease or agreement; (that is to say) of tenements or hereditaments, the greater part of the yearly value of which shall at the time of making the lease or agreement consist of any building or buildings of land or ground proper for the erection of any houses or other buildings thereupon, with or without gardens, yards, curtilages or other appurtenances to be used therewith; and where the Lessee or intended Lessee shall covenant or agree to erect a building or buildings thereon of greater yearly value than such land or ground, or land or ground proper for gardens, yards, curtilages or other appurtenances, to be used with any other house or other building erected or to be erected on any such

106.

Leases of certain Buildings, and of Ground for building on, or for making Gardens, &c. may be made for Seventy-five Years.

ground, belonging either to such Body Corporate or to any other proprietor, or proper for any other purpose calculated to afford convenience or accommodation to the occupiers of any such house or building.

107.
Collusive Purchases, Sales, and Demises of Corporate Property since the 5th June 1835 for undue consideration, may be set aside.

And be it Enacted, That it shall be lawful for the Council first 5
to be elected in any Borough under the provisions of this Act to call
in question all purchases, sales, leases and demises not made in pur-
suance of some such bonâ fide covenant, contract, agreement or
resolution made and entered into as aforesaid before the said Fifth 10
day of June, and all contracts for the purchase, sale, lease or demise
of any lands, tenements and hereditaments, and all divisions and
appropriations of the monies, goods and valuable securities, or any part
of the real or personal estate, of which on or before the said Fifth
day of June the Body Corporate, of which they are the Council,
whether in their own right or as Trustees for charitable or other 15
purposes, was seised or possessed, which shall have been made
or contracted between the said Fifth day of June and the day of the
declaration of their election; and for that purpose, if it shall appear
to the said Council that there is ground for believing that any such
purchase, sale, lease or demise, or such contract, or such division or 20
appropriation of the premises, was collusively made for no consi-
deration, or for an inadequate consideration, it shall be lawful for the
Council of such Borough, at any time within Six calendar Months
next after the first election of Councillors under this Act shall have
been declared in such Borough, upon notice of their intention being 25
first given in the Dublin Gazette, and also affixed on the outer door
of the Town Hall or in some public place within the Borough, to
cause the value of the lands, tenements, hereditaments and premises
in question to be inquired of and found by a Jury of Twelve indif-
ferent men of the County in which, or adjoining to which in the 30
case of all Counties of Cities and Towns Corporate, such lands,
tenements, hereditaments or premises do lie; and in order thereto
the said Council is empowered to summon and call before such Jury
all Persons having the custody and possession of any Deed or Agree-
ment concerning the said lands, tenements, hereditaments and pre- 35
mises made or entered into since the said Fifth day of June, and to
cause all such Deeds and Agreements to be produced before the said
Jury and examined by them, and to examine upon oath every Per-
son who shall be thought necessary to be examined (which oath the
Mayor is hereby empowered to administer); and the Council shall, 40
by ordering a view or otherwise, use all lawful means for the infor-
mation as well of themselves as of the said Jury in the premises;
and the Jury shall find the value of the said lands, tenements, here-
ditaments and premises, and the consideration which shall have been
given, and also that which ought of right to have been given, for the
purchase,

purchase, sale, lease, demise or appropriation thereof, according to the terms of such purchase, sale, lease, demise, contract or appropriation, and taking into account all the circumstances under which the same shall have taken place; and if the Jury by their oaths shall

5 find that no consideration, or a consideration less than that which they shall have so found to be the value which ought therefor to have been given, shall have been collusively given or contracted to be given by the terms of any such purchase, sale, lease, demise, contract or ap-

10 propriation, the party to such purchase, sale, lease, demise, contract or appropriation shall have his option either to re-convey and restore the lands, tenements, hereditaments and premises in question, and to abandon the contract to which he shall have been party, upon receipt in each case of the consideration, if any, which he shall have given for the same, or to give therefor in each case such additional

15 consideration, so that the whole consideration given shall be that which ought of right to have been given so found by the Jury as aforesaid; and in every such case as last aforesaid the additional consideration given or to be given shall be indorsed on the original deed or conveyance; and unless he shall so do within One calendar

20 Month next after the finding of the Jury, every such purchase, sale, lease, demise, contract and conveyance shall be absolutely void and of none effect as against the said Body Corporate and their successors; and in every case in which any such contract shall have been abandoned as aforesaid, or in which any such purchase, sale, lease,

25 demise, contract or conveyance shall become void and of none effect, under the provisions of this Act, the party who would otherwise have had the benefit of the same shall be remitted to his former estate, title and interest (if any) in the premises, as if no such contract, purchase, sale, lease or demise had been made or entered into; and for summon-

30 ing and returning such Juries, and for imposing fines on the Sheriff, his deputy, bailiff or agent, and on the Persons summoned and returned on the said jury, and on any Person required to give evidence who shall in this behalf contravene the provisions of this Act, the Council of every such Borough shall have all the powers which the supe-

35 rior Courts of Record in Dublin have; and all the costs of the said Jury, and of all witnesses tendered by the said Council to be examined before the said Jury, shall in every case be borne by the Council, and paid out of the Borough Fund: Provided nevertheless, That it shall be lawful for the Lord Lieutenant or other

40 Chief Governor or Governors of Ireland for the time being, if he or they shall think fit, by the advice of the Privy Council, upon petition to him or them, setting forth the special circumstances under which any purchase, sale, lease, demise, contract or appropriation of any of the said lands, tenements, hereditaments and premises shall have been made since the Fifth day of June, to order that the same shall not be called in question under the

provisions of this Act; and in such case as last aforesaid the same shall not be called in question or set aside or affected under the provisions of this Act: Provided also, That in every case in which such petition shall have been presented, it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland for the time being, if he or they shall think fit, to enlarge the time within which (in case he or they shall not think fit to make such order as aforesaid) the Council may have power as aforesaid to call in question any purchase, sale, lease, demise, contract or appropriation referred to in such petition: Provided also, That nothing herein contained shall be construed to give or shall give any effect or validity to any sale, demise or other disposition of or any agreement relating to any lands, tenements, hereditaments or other property which at any time belonged to any Corporate Body, but that the validity of such agreement, sale, demise or other disposition shall be liable to be questioned in any Courts of Law or Equity by the Council of the Borough, or any Burgess or Freeman, or other Person, as fully as if this Act had not been passed.

108.
Sale of Advowsons, &c.

And be it Enacted, That in every case in which a Body Corporate, or any particular class, number or description of Members, or the Governing Body of any Body Corporate now is or are in their corporate capacity, and not as Charitable Trustees, according to the meaning and provisions of this Act, seised or possessed of any manors, lands, tenements or hereditaments, whereunto any advowson or right of nomination or presentation to any Benefice, or Ecclesiastical Preferment is appendant or appurtenant, or of any advowson in gross, or hath or have any right or title to nominate or present to any Benefice or Ecclesiastical Preferment, every such advowson, and every such right of nomination and presentation shall be sold at such time and in such manner as the Ecclesiastical Commissioners for Ireland may direct, so that the best price may be obtained for the same; and it shall be lawful for the Council of such Body Corporate, and they are hereby authorized and required, with the consent of the said Commissioners, or any Three or more of them, in writing under their hands, to convey and assure under the common seal of such Body Corporate such advowson, or such right of nomination or presentation as aforesaid, to the Purchaser or Purchasers thereof respectively, his or their heirs, executors, administrators and assigns, or to such uses as he or they shall direct; and the proceeds of every such sale shall be paid to the Treasurer of the Borough, whose receipt shall be a sufficient and effectual discharge to the Purchaser or Purchasers to whom the same shall be given, for the amount of his or their purchase money; and it shall be lawful for the Council of such Borough to direct that such

such purchase money or any part thereof shall be applied towards the liquidation of any debt contracted before the passing of this Act by the Body Corporate now seised of or entitled to the property so sold; and if it shall not be so applied, it shall be invested in Govern-
 5 ment securities, for the use of the Body Corporate, and the annual interest payable thereon shall be carried to the account of the Borough Fund: Provided always, That in any case of vacancy arising before any such sale shall have taken place and been completed, such vacancy shall be supplied by the presentation or
 10 nomination of the Bishop or Ordinary of the Diocese in which such Benefice or Ecclesiastical Preferment is situated.

And be it Enacted, That the Council of every such Borough in which this Act shall be in operation, shall, before the First day of February in each year, transmit to the Lord Lieutenant or Chief Governor
 15 (for the time being) of Ireland, a Statement of all Monies received and expended on account of such Corporation within the year preceding, which Statement shall be prepared in such form and manner as the Lord Lieutenant shall direct, and such Accounts shall refer and be made up to the audit next before the First of January of the year in
 20 which such Account is hereby required to be so transmitted; and an Abstract of such Statements and Accounts, under general heads, shall be laid before both Houses of Parliament, during their sitting, in the same year in which they are hereby required to be transmitted as aforesaid.

109.
 Councils to transmit yearly Accounts of Income and Expenditure to Lord Lieutenant, and an Abstract thereof to be laid before Parliament.

And be it Enacted, That in the Counties of the Cities of Cork, Dublin, Kilkenny, Limerick, and Waterford, and in the Counties of the Towns of Carrickfergus, Drogheda and Galway, before the
 25 Twenty-ninth day of September in the year following the year in which this Act shall come into operation in each of the said Cities and Towns respectively, and every succeeding year, the Council shall name Three fit Persons to the Lord Lieutenant, and the Lord Lieutenant, if he think fit, may appoint one of the Three Persons so
 30 named to execute the office of Sheriff, or instead of appointing any one of the Three Persons so first named, the Lord Lieutenant, if he think fit, may require the Council to name to him Three other Persons, and may, if he think proper, appoint one of the Three Persons so
 35 last named to him, to execute the office of Sheriff, or in case the Council shall neglect or refuse to make either nomination as aforesaid, or in case the Lord Lieutenant shall disapprove of all the Six
 40 Persons so named to him, it shall be lawful for the Lord Lieutenant to appoint a fit Person to execute the office of Sheriff; and every Person so appointed shall have the like duties and powers as the Sheriffs or the Persons filling the office of Sheriff in the said Cities, Towns and Counties respectively would have had if this Act had not passed,

110.
 In Cities and Towns which are Counties, Sheriff to be appointed.

and shall continue in his office for One whole Year from the Twenty-ninth day of September, unless removed by the Lord Lieutenant; and in case a vacancy shall be occasioned in the office of Sheriff of such Borough during such period, by the death of the Person who shall have been appointed to such office, or his removal, another fit Person shall be appointed in like manner to be the Sheriff instead of the Person so dying or removed, who shall hold such office for the period during which the Person so dying or unless removed as aforesaid would have held it, and so from time to time as occasion may require; and every Person who, at the time when this Act shall come into operation in any of the said Cities or Towns, shall hold the office or execute the duties of Sheriff in the said Counties of Cities and Towns respectively, shall continue to hold and execute the same until the first appointment of a Sheriff therein under the provisions of this Act, and no longer.

111.

City and
County of
Londonderry
to be a
County, the
Sheriff of
which to be
nominated
by the Crown.

And be it Enacted, That, after the passing of this Act, a Sheriff of the County named the City and County of Londonderry shall be nominated and appointed by the Lord Lieutenant of Ireland, in the same manner to all intents and purposes as the Sheriff of any other County at large in Ireland is now nominated and appointed; and until the Sheriff first to be nominated and appointed for the said County of Londonderry under the Provisions of this Act shall enter upon his office, the Persons who at present fill the office of Sheriffs of the said City and County of Londonderry, or the survivor of them, shall be and remain the Sheriffs or Sheriff of the County of Londonderry, and shall fulfil and execute the duties of the said office.

112.

In certain
Boroughs,
Council to
appoint a
Coroner.

And be it Enacted, That the Council of every Borough in which a separate Court of Quarter Sessions of the Peace shall be holden, as is hereinafter provided, shall, within Ten Days next after the grant of the said Court shall have been signified to the Council of such Borough, appoint a fit Person, not being an Alderman or Councillor, to be Coroner of such Borough so long as he shall well behave himself in his office of Coroner, and shall fill up every vacancy in the office of Coroner of the Borough occurring by death, resignation or removal, within Ten Days next after such vacancy, and none thereafter shall take any inquisition which belongs to the office of Coroner within such Borough save only the Coroner so from time to time to be appointed; and in such of the said Boroughs as are not Counties of Cities or Counties of Towns, every such Coroner, for every inquisition which he shall duly take within such Borough, shall be entitled to have the sum of Twenty Shillings, and also the sum of Nine-pence for every mile exceeding Two Miles which he shall be compelled to travel from his usual place of abode to take such inquisition

sition, to be paid by the Treasurer out of the Borough Fund of such Borough by order of the Court of Quarter Sessions for such Borough : Provided always, That no Person shall be elected as Coroner as aforesaid who shall not be seised or possessed of such an estate in some part of Ireland as would qualify him to serve as a Coroner for a County according to the Acts now in force in Ireland in relation to the office of Coroner ; and every such Person shall, before he acts as such Coroner, take and subscribe all oaths now required to be taken by a Coroner in Ireland, and shall be liable to be removed by the Court of Chancery in Ireland in the same manner as any Coroner in Ireland may now be removed by that Court.

And be it Enacted, That on or before the Tenth day of January in every year after the passing of this Act, every Coroner appointed in any Borough shall make and transmit to the Lord Lieutenant of Ireland a Return in writing, according to such form as the said Lord Lieutenant from time to time shall direct, of all the cases in which he may have been called upon to hold an inquest touching the cause of death of any Person during the year ending on the Thirty-first day of December immediately preceding, and a copy of the finding of the Jury on every such inquest.

113.
Coroners to
make Returns
to Lord
Lieutenant.

And be it Enacted, That in every Borough in and for which no separate Court of Sessions of the Peace shall be holden, no Person, after the First day of December next after the first election of Councillors under this Act in that Borough, shall take any inquisition which belongs to the office of Coroner within such Borough, save only the Coroner for the County at large in which such Borough is situated ; and in every Borough in which a Coroner shall not be elected, and acting under this Act, the Coroner for the County in which such Borough is situated, and in case of a county of a City or Town the Coroner of the adjoining County or any of them, shall take any inquisition which could be taken by a Coroner elected under this Act, and have all the powers and authorities of such Coroner ; and such Coroners of Counties at large, and the Coroners of each County of a City and County of a Town shall be entitled to be paid for the inquisitions which they shall duly take as aforesaid, in manner now provided for by law, and not otherwise.

114.
County
Coroners to
act in other
Boroughs.

And be it Enacted, That it shall be lawful for Her Majesty from time to time to assign to so many Persons as She shall think proper, Her Majesty's Commission to act as Justices of the Peace in and for each Borough, and in and for each of the Counties of Cities and Towns respectively named in the said Schedule (A.) to which

115.
Commission
of Justices
of Peace to be
issued for
certain
Boroughs.

Her Majesty may be pleased to grant a Commission of the Peace :
 Provided nevertheless, That every Person so to be assigned shall
 reside within the Borough for which he shall be so assigned, or
 within Seven Miles of such Borough, or of some part thereof,
 during such time as he shall act as a Justice of the Peace in and for 5
 such Borough.

116.

Councils may
 make Bye-
 laws on which
 the Crown
 may appoint
 salaried Jus-
 tices.

And be it Enacted, That if the Council of any Borough shall
 think it requisite that a salaried Police Magistrate or Magistrates be
 appointed within such Borough, such Council is hereby empowered
 to make a Bye-law, fixing the amount of the salary which he or 10
 they are to receive in that behalf; and such Bye-law so made by any
 Council as aforesaid shall be transmitted to the Lord Lieutenant of
 Ireland, and the Lord Lieutenant thereupon shall be authorized to
 appoint so many fit persons as are specified in the said Bye-law (being
 Barristers-at-Law of not less than Six Years' standing), to be, during 15
 Her Majesty's pleasure, Police Magistrate or Magistrates, and a
 Justice or Justices of the Peace for such Borough, and to direct that
 such sum shall be paid quarterly out of the Borough Fund of such
 Borough as will be sufficient to pay such yearly salary to each of the
 Justices so assigned as last aforesaid, not exceeding in the whole 20
 the salary mentioned in the prayer of such Petition, clear of all fees
 or deductions, as to the Lord Lieutenant shall seem fit; and the
 Treasurer of such Borough shall thereupon pay to each Justice so
 assigned as last aforesaid, out of the Borough Fund of such Borough,
 the salary so directed to be paid by Four equal quarterly payments, 25
 and in the same proportion up to the time of the death of such
 Justice, or his ceasing to act under such assignment as aforesaid;
 provided that in every case of vacancy of the office of Police Ma-
 gistrate in any Borough aforesaid, no new appointment of Police
 Magistrate in such Borough shall be made until the Council shall 30
 again make application to the Lord Lieutenant in that behalf,
 and as in the case of the first appointment of a Police Magistrate in
 such Borough.

117.

Council to
 provide a
 Police Office.

And be it Enacted, That the Council of every Borough to which
 a separate Commission of the Peace shall be granted under the pro- 35
 visions of this Act shall be authorized and required to provide and
 furnish one or more fit and suitable office or offices, to be called
 " The Police Office " or Offices of the Borough, for the purpose of
 transacting the business of the Justices of the Borough, and to pay
 from time to time, out of the Borough Fund, such sums as may be 40
 necessary for providing, upholding and furnishing, and for the
 necessary expenses of such Police Office or Offices; and the
 Council of every such Borough shall, in case the Borough Fund shall
 not

not be sufficient, or in case there shall be no Borough Fund, have the power of including in and paying out of the Borough Rate of such Borough such sum as shall be required for providing, upholding and furnishing, and for the necessary expenses of such
 5 Police Office or Offices; and no room in any house licensed as a Victualling-house or Alehouse shall be used for the purpose of any such Police Office.

And be it Enacted, That every Person assigned to keep the peace within any Borough under the provisions of this Act, or any of them,
 10 shall, during the continuance of such assignment, execute the duties of a Justice of the Peace in and for the Borough for which he shall have been so assigned, although such Person may not be a Burgess of the Borough in and for which he shall have been assigned to act as a Justice of the Peace; and although he may not have such
 15 qualification by estate as is required by law in the case of other Persons being Justices of the Peace for a County; so nevertheless that such Person be not disqualified by law to act as a Justice of the Peace for any other cause, or upon any other account than in respect of estate: Provided nevertheless, That no such person by
 20 any such assignment shall act as a Justice of Peace at any Court of Gaol Delivery, or General or Quarter Sessions.

118.

Justices
need not be
qualified by
Estate.

And be it Enacted, That every summons for the appearance of any Person, or warrant to compel such appearance, or warrant for the apprehension of any Person charged with any offence, or search-war-
 25 rant issued by any Justice of the Peace acting in and for any Borough in any matter within his jurisdiction, may be respectively served and executed within any county in which the said Borough shall be situated, or within any distance not exceeding Seven Miles from such Borough, and within such limits as aforesaid, shall have the same force
 30 and effect as if the same had been originally issued or subsequently indorsed by a Justice of the Peace having jurisdiction in the place where the same shall be served or executed, any law, statute, charter or usage to the contrary notwithstanding; and every such summons and warrant shall and may be lawfully served or executed
 35 within such limits as aforesaid by the Constable to whom the same shall be directed, or by any Constable or other Peace Officer of the County, Borough, Parish or Place in which the Person named in such summons or warrant may be.

119.

CLAUSE (O.)
How far
Summons
and Warrants
may be en-
forced.

And be it Enacted, That it shall be lawful for the Justices of every Borough to which a separate Commission of the Peace shall
 40 be granted as aforesaid, at their first or any other Meeting, and they

120.

Justices to
appoint a
Clerk, who
shall not be
the Town
Clerk or of

the Council,
nor be con-
cerned in the
Prosecution
of Offenders
committed by
the Borough
Justices,

are hereby respectively required, to appoint a fit Person to be the Clerk to the Justices of such Borough, to be removable at their pleasure, and so as often as there shall be a vacancy in the said office of Clerk to the Justices by death, resignation, removal or otherwise; provided that it shall not be lawful for the said Justices 5
to appoint or continue as such Clerk to the Justices any Alderman or Councillor of such Borough, or Clerk of the Peace of such Borough, or the Partner of such Clerk of the Peace, or any Clerk or Person in the employ of such Clerk of the Peace: Provided also, That it shall not be lawful for the said Clerk to the Justices, by him- 10
self or his Partner, to be directly or indirectly interested or employed in the prosecution of any Offender committed for trial by the Justices of whom he shall be such Clerk as aforesaid, or any of them, at any Court of Gaol Delivery or General or Quarter Sessions; and any Person being an Alderman or Councillor, or Clerk of the Peace 15
of any Borough, or the Partner or Clerk, or in the employ of such Clerk of the Peace, who shall act as Clerk to the Justices of such Borough, or shall otherwise offend in the premises, shall for every such offence forfeit and pay the sum of One hundred Pounds, one moiety thereof to the Treasurer of such Borough, to be paid 20
over to the credit and account of the Borough Fund of such Borough, and the other moiety thereof, with full costs of suit, to any Person who will sue for the same in any of Her Majesty's Courts of Record at Dublin.

121.

Recorder to
be appointed
by Her Ma-
jesty in certain
Boroughs.

And be it Enacted, That the Council of every Borough, except the 25
City of Dublin, which shall be desirous that a separate Court of Quarter Sessions of the Peace, or a Court of Record for the trial of Civil Actions, shall be or continue to be holden in and for such Bo-
rough, shall signify the same by Petition to the Lord Lieutenant and Privy Council in Ireland, setting forth the grounds of the application, 30
and the salary which they are willing to pay to the Recorder in that behalf; and it shall be lawful for Her Majesty, if she shall be pleased thereupon to grant that a separate Court of Quarter Sessions of the Peace, or a Court of Record for the trial of Civil Actions, shall thence-
forward be holden in and for such Borough, the Lord Lieutenant may 35
appoint for such Borough, or for any Two or more of such Boroughs conjointly, a fit Person, being a Barrister-at-Law of not less than Six Years' standing, who shall be and be called the Recorder of such Borough or Boroughs, and shall hold such office during his good
behaviour; and the Lord Lieutenant, upon any vacancy in any such 40
office, may appoint another fit Person, being a Barrister-at-Law of not less than Six Years' standing, to be the Recorder in the place of the Person so making such vacancy; and the Council of every such Borough shall appoint a fit Person to be Clerk of the Peace
during

during good behaviour; and the Recorder for the time being of any Borough shall be a Justice of the Peace of and for such Borough, although he may not have such qualification by estate as is required by law in the case of any other Person being a Justice of the Peace
 5 for a County; and such Recorder shall have precedence, in all places within the Borough of which he may be the Recorder, next after the Mayor thereof; and it shall be lawful for the said Lord Lieutenant to direct that an annual salary, not exceeding the sum stated in the petition of the Council, shall be paid to such Recorder by the Treasur-
 10 surer of such Borough out of the Borough Fund: Provided always, That no Person being such Recorder as aforesaid shall be eligible to serve in Parliament for such Borough, nor shall he be an Alderman, Councillor or Police Magistrate of such Borough: Provided nevertheless, That nothing in this Act contained shall be construed to dis-
 15 qualify any such Recorder from being eligible to sit in Parliament otherwise than is herein provided: Provided also, That in every Borough in and for which a separate Court of Sessions of the Peace or a Court of Record for the Trial of Civil Actions is now holden, and of which the present Recorder or Deputy Recorder is a Bar-
 20 rister of Six Years' standing, such Recorder or Deputy Recorder, being qualified as aforesaid, shall be continued or appointed a Recorder under the provisions of this Act, and shall be paid out of the Borough Fund the salary now payable to him by the Corporate Body: Provided also, That, in case of sickness or unavoidable ab-
 25 sence, the Recorder of any Borough shall be empowered, with the consent of the Council, to appoint a Deputy Recorder, being a Bar- rister of Six Years' standing, to act for him at the Sessions of the Peace then next ensuing, and in such Court of Record for any time not exceeding Three calendar Months, and no longer or otherwise.

Recorder
be a Justice
of the Peace
for the Bo-
rough.

Not to be
Councillor
or Police
Magistrate.

30 AND whereas it is expedient that provision should be made by a separate Act of Parliament for the trial of offenders, and of civil actions, in cases in which the Recorder or Lord Mayor of the City of Dublin now either solely or jointly with any Member or Mem- bers of the Corporation of the City of Dublin possesses jurisdiction;
 35 BE it Enacted, That until Parliament shall otherwise provide, the present Recorder of the City of Dublin and his successors in that office, shall have all such powers and authority for and incident to the trial of offenders and of civil actions, as are now vested in the said Recorder or Lord Mayor either solely or jointly with any other
 40 Member or Members of the Corporation of the Lord Mayor, Sheriffs Commons and Citizens of the City of Dublin; and if the Recorder for the time being shall vacate his said office before such pro- vision as aforesaid shall have been made, the Lord Lieutenant shall appoint a fit person to be Recorder, in lieu of the Recorder so

122.
CLAUSE (P.)
Recorder of
the City of
Dublin.

vacating the said office ; and the Recorder so from time to time appointed shall have the like powers and authorities as are hereby given or continued to the present Recorder ; and the present Recorder and his successors in that office shall be entitled to such salary as the present Recorder is now entitled to, and out of the same funds ; and such Recorder and his successors in that office shall hold their office during good behaviour, or until Parliament shall otherwise provide as aforesaid. 5

123.
Justices to
make Decla-
ration before
acting.

Provided nevertheless, and be it Enacted, That no Recorder or Person assigned as aforesaid to keep the peace within any such Borough shall be capable of acting as Recorder or Justice of the Peace within such Borough until he shall have taken the Oaths provided to be taken by Justices of the Peace, except any Oath as to qualification by estate, and until he shall have made before the Mayor, or before any Two or more of the Aldermen or Councillors of such Borough (who is and are hereby authorized and required to administer the same), a Declaration in the following form ; (that is to say) 10 15

“ I, A. B., do hereby declare, That I will faithfully and impartially execute the office of Recorder [or, Justice of the Peace] for the Borough of according to the best of my judgment and ability.” 20

124.
CLAUSE (Q.)
Sessions of the
Peace to be
held for the
Borough, of
which the Re-
corder is to be
the sole Judge.

And be it Enacted, That the Recorder of every Borough appointed under this Act, shall hold once in every quarter of a year, or at such other and more frequent times as the said Recorder in his discretion may think fit, or as Her Majesty shall think fit to direct, a Court of Quarter Sessions of the Peace in and for such Borough, of which Court the Recorder of such Borough shall sit as the sole Judge ; and such Court of Quarter Sessions of the Peace shall be a Court of Record, and shall have cognizance of all crimes, offences and matters whatsoever cognizable by any Court of Quarter Sessions of the Peace for counties in England ; and the said Recorder shall have power to do all things necessary for exercising such jurisdiction, notwithstanding his being such sole Judge, as fully as any such last-mentioned Court : Provided nevertheless, That no Recorder, by virtue of his office, shall have power to make or levy any county rate, or rate in the nature of a county rate, or to grant any license or authority to any person to keep an inn, alehouse or victualling-house, to sell exciseable liquors by retail, or to exercise any of the powers herein specially vested in the Council of such Borough. 25 30 35 40

125.
Mayor,
in the absence
of the Re-
corder, may

And be it Enacted, That in the absence of the Recorder and Deputy Recorder, the Mayor shall be authorized and required at the

the proper times appointed for the holding of such Court of Sessions of the Peace in and for such Borough to open the said Court, and to adjourn over the holding of the same, and to respite all recognizances conditioned for appearing at the same, until such further day as
 5 such Mayor then and there, and so from time to time, shall cause to be proclaimed: Provided nevertheless, That nothing in this Act contained shall authorize or require any such Mayor to sit as a Judge of the said Court for the trial of offenders, or to do any other act in the character of a Judge of such Court, save only
 10 in opening and adjourning the said Court, and respiting the said recognizances in manner aforesaid.

And be it Enacted, That after the First day of January in the year following that in which this Act shall come into operation in any Borough, all powers and jurisdictions to try Treasons, Capital Felonies, and all other Criminal Jurisdictions whatsoever, granted or confirmed by any law, statute, letters patent, grant or charter whatsoever to any Mayor, Bailiff, Alderman, Recorder or other corporate or chartered Officer, or corporate or chartered Justice of the Peace whomsoever, in that Borough, except the Recorder of Dublin, and all
 20 right of any Body Corporate in that Borough, or any of the Members thereof, by virtue of any law, statute, letters patent, grant or charter whatsoever, to elect or nominate any Justices to keep the peace in or for any Borough, or by any Members of any such Corporate Body to act as such Justices of the Peace in or for any of the last-named
 25 Boroughs, other than is herein declared, shall cease: Provided nevertheless, That nothing in this Act contained shall be construed to restrain or prevent the holding of any Court of Gaol Delivery or General or Quarter Sessions of the Peace in and for any Borough for which such Court may now be holden, until the said First day
 30 of January, but every such Court may be holden in like manner and with the same powers, until the said First day of January, as if this Act had not been passed.

And be it Enacted, That after the last-named First day of January, every Person who shall then stand committed to take his trial at
 35 any Court of Gaol Delivery, General or Quarter Sessions of the Peace for any Borough, charged with any offence which the Recorder of such Borough, after the said First day of January, will not have the jurisdiction to try, may be lawfully removed and committed to the Gaol or House of Correction of the County in which or adjoining to
 40 which such Borough is situated, there to remain and take his trial at the next Court of Quarter Sessions for such County, if the offence is cognizable by a Court of Quarter Sessions, and if not, then before the Judges of Oyer and Terminer and Gaol Delivery at their next
 512. H 4 circuit;

open and
adjourn the
Court.

126.

Capital Jurisdictions and all other Criminal Jurisdictions in Boroughs, other than are specified in this Act, abolished.

127.

Offenders committed to Borough Sessions whose Jurisdiction is taken away, to be tried in the adjoining County.

circuit; and all Persons bound by recognizance to prosecute and give evidence against such Offenders shall be bound to appear to prosecute and give their evidence at the Court at which such Offenders shall be tried as aforesaid; and all such recognizances, and all depositions relating to such charges, shall be transmitted to the proper Officer of the Court where such Offenders shall be tried; and the Sheriff, Under Sheriff, Gaolers and other Officers of the County in which such Offenders shall be so tried, are hereby authorized and required in every such case to receive every Prisoner so committed to their custody, and him safely to keep until delivered by due course of law; and the Judges of Assize and others named in Her Majesty's Commissions of Oyer and Terminer and Gaol Delivery, or the Justices for the County, as the case may be, in which such Offenders shall be tried, are hereby authorized and required to hear and determine all such cases, and to order the payment of the usual and fit expenses of the Prosecutors and Witnesses, and all other costs and expenses, which in like case may be directed to be paid by order of the Court.

128.
County Jus-
tices to have
Jurisdiction in
all Boroughs
which have not
a separate
Court of Ses-
sions of the
Peace.

And be it Enacted, That after the last-named First day of January, the Justices assigned or hereafter to be assigned to keep the peace in and for the County in which any Borough is situated, to which Her Majesty shall not have granted that a separate Court of Sessions of the Peace shall be holden in and for the same, shall exercise the jurisdiction of Justices of the Peace in and for such Borough as fully as by law they and each of them can or ought to do in and for the said County; and no part of any Borough in and for which a separate Court of Quarter Sessions of the Peace shall be holden, shall be within the jurisdiction of the Justices of any County from which such Borough before the passing of this Act was exempt; any law, statute, letters patent charter, grant or custom to the contrary notwithstanding.

129.
Chartered
Admiralty
Jurisdictions
abolished.

And be it Enacted, That from and after the passing of this Act, so much of all laws, statutes and usages, and so much of all royal and other charters, grants and letters patent heretofore granted to any Borough or Body Corporate, whereby such Borough or any place within the precincts or liberties of the same, or such Body Corporate, or the freemen or inhabitants of the same, claims or claim to be exempted and released from the jurisdiction and office of the Lord High Admiral of England; or of the High Court of the Admiralty of England or Ireland, or whereby any Body Corporate, or any Mayor, Bailiff, Recorder, Steward or other chartered or corporate Officer of any Borough has or claims any thing belonging to the office of Admiral, whether or not to be exercised by virtue of any commission

to them or any of them to be directed, shall be and the same is hereby Repealed.

And be it Enacted, That in every Borough to which Her Majesty shall have granted a separate Court of Sessions of the Peace, or a
 5 Court of Record for the trial of Civil Actions as aforesaid, there shall be holden or continue to be holden a Court of Record for the trial of Civil Actions, and the Recorder of such Borough shall be the sole Judge of such Court, and, in all cases where by charter or custom there is or ought to be holden such a Court of Record, shall have
 10 jurisdiction to hold and continue such Court for the purpose of disposing of all causes pending therein at the time of the appointment of such Recorder, at such times and places, and with such rules and practice, and with the same powers and jurisdiction, as belonged to the said Court at the time of the passing of this Act; and in all other
 15 causes such Recorder shall have jurisdiction to proceed either by process of attachment of goods or by serviceable process according to the provisions hereinafter contained, with authority to try in a summary way, as hereinafter provided, actions of assumpsit, covenant and debt, whether the debt be by specialty or on simple
 20 contract; and all actions of trespass or trover for taking goods and chattels, provided the sum or damages sought to be recovered shall not exceed Twenty Pounds, and either the cause of action shall have accrued within such Borough, or the Defendant or one of the Defendants shall be resident therein; and also all actions of eject-
 25 ment between landlord and tenant, wherein the annual rent of the premises of which possession is sought to be recovered shall not exceed Twenty Pounds; and also to try, according to the course of the common law, actions of assumpsit, covenant and debt, whether the debt be by specialty or on simple contract, and all actions of
 30 trespass or trover for taking goods and chattels, provided the sum or damages sought to be recovered shall not exceed Fifty Pounds, and the cause of action shall have accrued within such Borough; and such actions shall not be removed or removable to any of Her Majesty's Superior Courts by Writ of Certiorari, or any other process
 35 save Writ of Error after Judgment, where the proceeding is according to the course of the Common Law: Provided also, That every such Judge respectively from time to time may make rules for regulating the practice of such Court over which he presides, but so that no such rules shall be of force until they shall have been
 40 allowed and confirmed by the Judges of Her Majesty's Court of King's Bench in Dublin, or any Three of them.

130.
Jurisdiction
of Court of
Record.

And be it Enacted, That in every Borough, being a County of a City or County of a Town, wherein the office of Clerk of the Crown or Clerk of the Peace is now by law in the appointment of the Corpo-

131.
Appointment
of Clerk of the
Crown or
Clerk of the
Peace.

ration of such Borough, or any member or officer thereof, or held by any officer thereof in right of his office, and in every Borough, not being a County of a City or County of a Town, to which a separate Commission of the Peace shall be granted, it shall and may be lawful for the Lord Lieutenant to grant from time to time to any Person the offices of Clerk of the Peace and Clerk of the Crown of such Borough, or either of them; and the Clerk of the Peace of the County of Londonderry, and the Coroners of the said County, shall, whenever after the passing of this Act such offices respectively shall become vacant, be appointed and elected in the same manner as the Clerk of the Peace and Coroner of any other County at large in Ireland.

132.

Appointment
of Registrar of
Court of
Record, and
Clerk of Court
of Conscience.

And be it Enacted, That in any Borough wherein there shall be a Court of Record for the trial of Civil Actions, or a Court of Conscience, under the provisions of this Act, the Council shall appoint the Registrar of such Court of Record and the Clerk of such Court of Conscience respectively, and such other officers and servants as are necessary for carrying on the business and executing the process of such Courts respectively; and that no Registrar or other officer of such Court shall by himself or his partner practise as an Attorney in such Court.

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133.

Existing Suits
not to abate
by reason of
the change of
Jurisdiction.

And be it Enacted, That no Suit commenced in any Court of Record in any Borough before the passing of this Act shall abate by reason of any change that shall have been worked in the constitution of such Court by the provisions of this Act, but that the same may be heard and determined as if it had been commenced before such Judge, according to the provisions hereinbefore contained in that behalf; and every Action, Suit and Proceeding in which any Corporate Body in conjunction with the name of any Borough mentioned in the Schedules to this Act is a party or interested, shall and may be carried on by or against the Mayor, Aldermen and Burgesses of that Borough.

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134.

Who to be
Jurors.

And be it Enacted, That from and after the time when this Act shall come into operation in any Borough, including the City of Dublin, every Person being a Burgess of any Borough wherein there shall be a separate Court of Sessions of the Peace, or a Court of Record for the trial of Civil Actions, (who would be qualified to serve on a Jury according to the provisions of an Act passed in the Session of Parliament holden in the third and fourth years of the reign of his late Majesty King WILLIAM the Fourth, intituled, "An Act for consolidating and amending the Laws relative to Jurors and Juries in Ireland,") shall be qualified and liable to serve on Grand Juries in such Borough, and also upon Juries for the trial of all

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Issues

3 & 4 Will. 4.
c. 91.

Issues joined in any Court of Sessions of the Peace and in any Court of Record for the trial of Civil Actions, triable within the Borough of which such Person shall be a Burgess; and the Clerk of the Peace of every such Borough shall give public notice of the time and place of holding every such Sessions of the Peace Ten Days at least before the holding thereof, and in Boroughs being Counties of Cities or Counties of Towns, the Sheriff thereof, and in other Boroughs the Clerk of the Peace thereof, shall, Seven Days at the least before the holding thereof, cause to be summoned a sufficient number of Persons, being qualified and liable as aforesaid, to serve as Grand Jurors at such Sessions; and in Boroughs being Counties as aforesaid, the Sheriff, and in other Boroughs the Clerk of the Peace and Registrar of the Court of Record respectively, shall also cause to be summoned not less than Thirty-six nor more than Sixty Persons so liable and qualified as aforesaid to serve as Jurors at every such Sessions, and at the holding of every such Court of Record for the trial of causes; and such summons shall be made by showing to the Person to be summoned, or in case he shall be absent from the usual place of his abode, by leaving with some person therein inhabiting, a note in writing under the hand of such Sheriff, Clerk of the Peace or Registrar respectively, containing the substance of such summons; and such Sheriff or Clerk of the Peace respectively shall make out a List of the Names of such Persons so summoned as Grand Jurors; and such Sheriff, Clerk of the Peace or Registrar respectively shall also make out a Panel of such Persons so summoned other than Grand Jurors; and such List and Panel shall respectively contain therein the christian names and surnames, places of abode and descriptions of the several Persons therein named; and if any Person having been duly summoned to attend on any Jury shall not attend in pursuance of such summons, or, being thrice called, shall not answer to his name, or after his appearance wilfully withdraw himself from the presence of the Court, the Court shall impose such Fine upon every Person so making default (unless some reasonable excuse shall be proved to the satisfaction of the Court), as the Court shall think meet; and if any Person on whom such Fine shall be imposed shall refuse to pay the same to the Person who shall be authorized by the Court to receive the same, it shall be lawful for the Court then, or at its next sitting, by order of the Court, signed by the Clerk of the Peace or Registrar respectively, to cause to be levied, by distress and sale of the goods of the Person on whom such Fine shall have been imposed, every such Fine and the reasonable charges of such distress and sale; and every Fine so received shall be paid to the Treasurer of the Borough, to be by him carried to the account of the Borough Fund hereinbefore mentioned.

Fine for non-attendance.

135.
Justices, &c.
exempt from
serving on
Juries.

And be it Enacted, That after the time when this Act shall come into operation in any Borough, every Member of the Council for the time being of the Borough, and Justice assigned to keep the peace therein, and every Officer of Police therein, and the Treasurer and Town Clerk for the time being of every such Borough, shall be 5
exempt and disqualified from serving on any Jury summoned within such Borough respectively, save and except the Juries summoned for an Assize or general Gaol Delivery.

136.
Court of
Record, pro-
ceeding in.
Attachment.

And be it Enacted, That in all cases of debt or liquidated damages, in which the Plaintiff shall be desirous of proceeding in 10
the Court of Record of any Borough, except the City of Dublin, by way of attachment of goods, the Plaintiff or one of the Plaintiffs, or some Person able to depose to the facts of his own knowledge, shall first make affidavit before the Recorder or the Mayor (who is hereby empowered to take such or any other affidavits in the said Court) of 15
the cause of action, and that the same has accrued within such Borough, or else, where the debt or damages do not exceed Twenty Pounds, that the Defendant, or one of the Defendants, is resident therein (describing such Defendant by his name, addition and residence particularly), and that the Deponent is apprehensive that such 20
debt or damages is or are in danger of being lost to the Plaintiff, unless aided by process of the said Court to attach the goods of the Defendant, and thereupon it shall be lawful for such Recorder or Mayor to issue an attachment, directed to the proper Officer of the Court to be appointed in that behalf as aforesaid, requiring 25
him, according to the Form Number 1, in Schedule (E.) to this Act annexed, to attach the goods of the Defendant within the Borough; and thereupon such Officer is hereby authorized and required to seize such goods, and to detain the same until the Defendant shall have given special bail to pay such sums of money as may be 30
adjudged to the Plaintiff in that Suit, which bail may be taken either by the Recorder or by the Mayor of such Borough.

137.
Foreign
Attachment.

And be it Enacted, That in all Boroughs in which, by usage or charter, the goods, monies or credits of the Defendant may, by process of Foreign Attachment, be attached in the hands of a third 35
Person, such process by Foreign Attachment may be proceeded upon in the Court of Record of such Borough under this Act, with such rules of practice and with the same powers and jurisdiction as belonged to the said Court at the time of the passing of this Act: Provided always, That no such Foreign Attachment shall be issued, 40
unless a Common Attachment against the goods of the Defendant shall first have issued, and unless thereupon a further affidavit shall be made as aforesaid, describing the goods, monies or credits sought to be attached in the hands of such third Person, and stating that
the

the same belong to the Defendant; and such third Person, in case he claims a property in such goods, shall be permitted to give bail for the same in manner aforesaid.

And be it Enacted, That upon the appearance of the Defendant upon any such Common Attachment, and upon the appearance of the Garnishee upon any such Foreign Attachment, the Plaintiff, in all cases where the debt or damages do not exceed Twenty Pounds, shall proceed by way of Civil Bill thereupon, and not according to the course of the Common Law, by filing such Civil Bill in the said Court, and giving notice in writing of such filing, together with a copy of such Civil Bill, to the party or his attorney in the proceeding.

138.
Where the
Proceedings
shall be by
Civil Bill.

And be it Enacted, That in all such cases, and in all other cases wherein the debt or damages do not exceed Twenty Pounds, and the Plaintiff shall elect to proceed by serviceable process only in such Court of Record, and in all cases of ejectment triable in such Court of Record, the proceeding shall be, as nearly as circumstances will admit, in the forms and according to the course and with such right of appeal to the Judge of Assize of the County in which such Borough, or any part thereof, shall be situate, or to one of the Superior Courts in the City of Dublin, as is by law provided in cases of Civil Bills determinable before the Assistant Barristers of Counties in Ireland, and in cases where the Plaintiff shall proceed in such Court according to the course of the Common Law, and shall recover in debt or damages an amount not exceeding Twenty Pounds, such Plaintiff shall not recover any costs of suit.

139.
Form of
Proceeding.

And be it Enacted, That any Attorney of any of the Superior Courts of Record in Dublin shall be admissible to practise in the Court of Record of any such Borough, without payment of any fee or stamp-duty upon such his admission, and may continue to practise therein so long as he continues an Attorney of some of the Superior Courts of Record aforesaid, and is in all other respects duly qualified to act and practise as such Attorney.

140.
Attornies in
Court of
Record.

AND whereas in several of the Boroughs in Ireland there have been Courts for the recovery of small debts in a summary way, commonly called Courts of Conscience; and such Courts, when well regulated, have been found useful to the poorer inhabitants of the said Boroughs; and it is expedient to make new and further provisions for the establishment and regulation of such Courts in certain cases; BE it Enacted, That from and after the first election of the Council of any Borough under the provisions of this Act, all

141.
Court of
Conscience.

the powers, authorities and jurisdictions of the then existing Court for the recovery of small debts, commonly called the Court of Conscience in such Borough, whether same shall have been established by usage, statute or otherwise, shall wholly cease and determine, save only as to the execution of any decrees or orders of the said Court theretofore lawfully made; and that in every Borough in the Schedules to this Act annexed, in which there has been heretofore such a Court, or in which the Lord Lieutenant shall, upon the application of the Council, direct that there shall be such a Court, before the Mayor of the said Borough, or the Deputy of such Mayor duly appointed by him by writing under his hand, with the consent of the Council of such Borough, signified by a resolution of such Council duly convened for that purpose, a Court for the recovery of small debts, to be called the Court of Conscience of such Borough, and that the Mayor of the said Borough, or his Deputy for the time being duly appointed, shall be the Judge or President of such Court, and shall have full power and authority to hear and determine in a summary way causes in all small debts between party and party not exceeding in amount the sum of Forty Shillings, where the cause of action shall have accrued within the said Borough, or the Defendant shall reside within the same.

142.
Proceedings
in Courts of
Conscience.

And be it Enacted, That the said Court shall be held at such times and in such place within the said Borough as the Council of the said Borough shall direct and provide, and not otherwise; and that the proceedings in said Court shall be by summons, in the Form Number 2, specified in the Schedule (E.) to this Act annexed, stating the names of the Parties, Plaintiff and Defendant, the nature and amount of the debt, and the time and place when and where the Defendant is required to appear and answer the said claim; and such summons shall be served on the said Defendant personally, or in case of difficulty in effecting personal service arising from the acts or contrivance of said Defendant, by serving same in such manner as the President of the said Court shall direct; and in such case a copy of the order for such substitution of service shall be served along with and in the same manner as the summons; and in all cases the summons shall be served in manner aforementioned Twenty-four Hours at the least previously to the hearing of the cause; and in case the said Defendant shall appear, or if the Plaintiff shall prove by affidavit (which, and all other affidavits in the said Court, the said President is hereby empowered to take) the due service of the said summons, or summons and order as aforesaid, the President of the said Court shall proceed to hear the said cause, and the statement of the said party or parties, or their attorney or attornies, and all competent witnesses, and other legal evidence produced by them or either

either of them, and shall determine the same: Provided always, That it shall be lawful for either party to require the other to be examined upon oath touching the said claim, but that neither of the said parties shall be admitted by his own evidence, on oath or otherwise, to support his own case.

And be it Enacted, That upon such evidence as shall be adduced, and the admissions of the said parties, if required to be examined as aforesaid, the said President shall decide upon the case, and shall make an order either for the payment of the sum claimed by the Plaintiff or any part thereof, together with his costs of suit, according to a Table of Costs to be settled for said Courts in manner hereinafter provided, or for dismissing the said summons, and in such case to order the Plaintiff to pay to the Defendant his reasonable costs according to the said Table, or may adjourn the cause to some other day, as justice may require; and every such order shall specify a time within which such payment of debt and costs, or of costs, as the case may be, shall be made, either by instalments or otherwise; and every order dismissing such summons shall be expressed therein to be either "on the merits," or "without prejudice to any other proceeding for the said demand;" and in case the party against whom such order for the payment of the said debt and costs, or of such costs, shall be made, shall not pay the amount thereof pursuant to the terms of said order, it shall be lawful for the President of the said Court, upon affidavit made of the service of a copy of such order on such party personally, or at his dwelling-house, office or shop, or last known place of residence within the said Borough, and of the non-payment of any sum of money mentioned in such order, pursuant to the terms thereof, to issue his warrant under his hand to levy the amount thereof by distress and sale of the goods of the said party.

143.
Order of
Court of Con-
science.

And be it Enacted, That no re-hearing of any cause shall be had in the said Court, except only in cases where the same shall have been dismissed, "without prejudice to any other proceeding," as aforesaid; and that if any Party shall think himself aggrieved by any such order of the said Court, either for payment of the said debt and costs, or for dismissing his cause on the merits as aforesaid, it shall be lawful for such Party to appeal therefrom to the Recorder of the said Borough, where there is a Recorder in the said Borough; provided that in case of such appeal, the Party so appealing shall give notice of such appeal to the President of the said Court, and also to the opposite Party in said cause; and said appeals may be forthwith proceeded upon before such Recorder at the Court of said Recorder, if then holden, or at the next or any subsequent Court of such Recorder to be held within Six calendar

144.
Appeal from
Court of Con-
science.

Months from the time of the service of such order upon the Party so appealing ; and such Recorder shall have full power and authority to proceed to hear such cause, and to rescind and vary or reverse or affirm said order, and in all or any of such cases to make such order, either for the payment of the said debt and costs, together with 5 reasonable costs of such Appeal, pursuant to the said Table of Costs, or for the payment of such costs only as aforesaid as justice shall require ; and in case of non-payment of the sum or sums of money mentioned in such order, on like affidavit of the due service thereof in manner aforesaid, to issue his warrant under his hand to levy the 10 amount thereof by distress and sale of the goods of the said Party, in the same manner as the said President of the said Court of Conscience is hereby authorized : Provided always, That such notice of appeal shall not operate to stay execution of any order or warrant of the said President of the said Court of Conscience, unless the 15 Party appealing therefrom shall enter into a bond to the Mayor of said Borough, by himself and Two Sureties jointly and severally bound in Double the amount of the sums mentioned in such order, that such Party so appealing shall prosecute such Appeal with effect ; and in case such order shall be affirmed in the whole or in part on 20 such Appeal, to pay the sum mentioned in such order of affirmation, either for debt and costs, or for costs : Provided always, That such Bond shall not be liable to any Stamp-duty.

145.
Books of
Proceedings to
be provided
and kept.

And be it Enacted, That the President of the said Court of Conscience, and the Recorder as Judge upon Appeals from the President 25 or the Town Clerk under their orders respectively, shall make or cause to be made fair and regular entries in books to be provided by the Town Clerk under the direction of the Council for that purpose, of all judgments, orders, directions, regulations, acts and proceedings of them the said President and Recorder respectively, 30 in or relating to the execution of the several powers and authorities vested in them as Judges in the first instance, and upon appeal in such Court as aforesaid, and shall respectively sign the same ; and such entries when so signed shall be allowed in evidence in proof of the proceedings of such Court in all Courts whatsoever ; and if any 35 Person within the jurisdiction of the said Court, after having been duly served with a summons to be issued by the Clerk thereof, and paid or tendered his reasonable expenses to attend and give evidence, at a time and place in such summons mentioned, on behalf of any Plaintiff or Defendant, shall refuse or neglect to appear pursuant to 40 such summons, due proof being made of the service of such summons, and no sufficient cause for his non-appearance being shown to the satisfaction of the Court upon affidavit, or if the Person so served with such summons shall appear and refuse to give evidence touching the matter in question, then and in every such case it shall

be

be lawful for such President or Recorder, as the case may be, if satisfied upon affidavit that such Person not appearing was duly served with such summons, and was a material witness for the party on whose behalf he was so summoned, or that such Person appearing and refusing to give evidence as aforesaid was a material witness for the party on whose behalf he was called, to impose any Fine not exceeding Fifty Shillings on every such Person; and in case such Fine shall not be paid forthwith, such Fine may be levied by distress and sale of the goods of the offender, by warrant under the hand of such President or Recorder, as the case may be, rendering the over-plus (if any), after deducting such Fine and the costs and charges of such distress, to the owner of the goods; and such Fine when levied shall be paid over to the party on whose behalf such Person shall have been summoned or called upon to give evidence; and in case any Person shall be guilty of a contempt of the said Court, it shall be lawful for such President or Recorder to direct that such offender be taken into custody, and any Officer of the Court, with or without the assistance of any other Person, may take such offender into custody accordingly; and the said President or Recorder shall then examine into such contempt, and then upon his own view, or upon oath of One or more other Persons, impose a Fine not exceeding Fifty Shillings for each offence on each offender; and if such Fine shall not be forthwith paid, such President or Recorder may commit the offender to any lawful prison within such Borough for any time not exceeding Twenty Days, or such Fine may be levied by distress and sale of the goods of the offender in manner aforesaid, and paid to the Treasurer of such Borough to the credit of the Borough Fund, and such offender may be detained in custody until the rising of the Court on the day of his offence, and for One Hour after.

And be it Enacted, That the Council of every Borough shall and they are hereby required, within Six calendar Months next after their election, to make and settle a Table of the Fees which shall be taken by the Clerk of the Peace in those Boroughs in which a separate Court of Session of the Peace shall be holden, and in those Boroughs in which there shall be a Court of Record and a Court of Conscience, a Table of the Fees to be taken by the Registrar and Officers of such Courts; and such Tables of Fees shall be submitted to the Chief Secretary or Under Secretary of the Lord Lieutenant of Ireland; and when such Tables of Fees shall be confirmed and allowed by such Chief Justice or other Justices, or any Three of them, either as such Table shall have been submitted to them, or with such alterations, additions or abatements as they shall think proper, the Fees therein mentioned may thenceforth be lawfully taken by the Person therein named to be entitled thereunto; and it shall

146.
Fees payable
to the Clerk
of the Peace,
Clerk to the
Magistrates,
and Registrar
and Officers
of the Court
of Record.

be lawful for the Council of such Borough, from time to time as occasion may require, to make new Tables of Fees, to be taken instead of the Fees contained in the Tables which shall have been made as aforesaid, which new Tables shall be confirmed and allowed in the manner hereinbefore mentioned, otherwise the same shall be of no validity ; and that until Tables of the Fees so to be taken in any such Borough shall have been made and confirmed as aforesaid, it shall be lawful for such Clerk of the Peace at the Sessions for any such Borough to take the Fees authorized by the Table for the time being to be taken by the Clerk of the Peace at the Sessions for the County within or adjoining to which such Borough is situated, and for the Registrar and Officers of such Court of Record or Court of Conscience to take the Fees usually taken by them before the passing of this Act. 5 10

147.
Clerks to
Justices to be
entitled to
Fees charge-
able under Act
7 & 8 Geo. 4.

And be it Enacted, That in those Boroughs to which a Commission of the Peace shall have been granted, the Clerk to the Justices shall be entitled to such Fees (and no other) as are chargeable by and under an Act passed in the Session of Parliament holden in the seventh and eighth years of the reign of his Majesty King GEORGE the Fourth, intituled, " An Act for the better Administration of Justice at the holding of Petty Sessions by Justices of the Peace in Ireland," subject to such orders of the Justices as in that Act provided. 15 20

148.
Table of Fees
to be hung up.

And be it Enacted, That the Town Clerk of every Borough shall cause a true copy of the Tables of Fees in force for the time being to be hung up in a conspicuous part of the room in which the business of his office is transacted, and also in the room wherein the Justices of the Peace of such Borough shall sit for transacting their business, and also in the room wherein the Court of Sessions of the Peace for the Borough shall be held, and also in the Court of Record and Court of Conscience of the said Borough respectively. 25 30

149.
Application of
Penalties.

And be it Enacted, That when by any Act any penalties or forfeitures are or shall hereafter be made recoverable in a summary manner before any Justice or Justices of the Peace and by such Act respectively, the same are or shall be limited and made payable to Her Majesty, or to any Body Corporate, or to any Person whomsoever, save and except the informer who shall sue for the same, or any party aggrieved, in every such case the same, if recovered and adjudged before any Justice of any Borough in which a separate Court of Sessions of the Peace shall be holden as aforesaid, shall, notwithstanding any thing in such Act respectively contained, be recovered for and adjudged to be paid to the Treasurer of such Borough for the time being, to the credit and on account of the Borough Fund of such Borough ; and no such penalty or forfeiture, or 35 40

or share of such penalty or forfeiture, shall in any case be recovered by or adjudged to be paid to any other Person than the said Treasurer, unless such Person be the informer or the party aggrieved: Provided always, That nothing herein contained shall extend to any

5 penalties or forfeitures recovered under any Act relating to the Customs, or to Trade or Navigation, and sued for by the direction of the Commissioners of Her Majesty's Customs, which shall be paid to such Person as the said Commissioners shall direct to receive the same.

AND for the more effectual prosecution of offences punishable

10 upon summary conviction by virtue of this Act, BE it Enacted, That the prosecution for every such offence shall be commenced within Six calendar Months after the commission of the offence, and not otherwise; and that where any Person shall be charged, on the oath of a credible witness, with any such offence before a Justice of the

5 Peace, the Justice may summon the Party charged to appear before any Two Justices of the Peace acting in and for the Borough in which such offence shall have been committed, at a time and place to be named in such summons; and if such Party shall not appear accordingly, the Justices of the Peace then and there present (upon

20 proof of the due service of the summons, by delivering a copy thereof to the Party, or by delivering such copy at the Party's usual place of abode to some inmate thereat, and explaining the purport thereof to such inmate,) may either proceed to hear and determine the case in the absence of the Party, or may issue their warrant for apprehending and bringing such Party before them, as they shall think

25 proper.

150.
Limitation of time for prosecution of offences punishable on summary conviction under this Act, and summons of offenders.

And be it Enacted, That it shall be lawful for any Justice of the Peace acting in and for any Borough to issue his summons, requiring any Person to appear before any such Justices of the Peace, for the

30 purpose of giving evidence touching any offence against this Act; and if any Person so summoned shall neglect or refuse to appear at the time and place appointed by such summons, and no reasonable excuse for his absence shall be proved before the Justices of the Peace then and there present, or if any Person appearing in obedience

35 to such summons shall refuse to be examined on oath touching any such offence by the Justices then and there present, every Person so offending shall, on conviction thereof before the said Justices, or any other Justices of the Peace, forfeit and pay such sum of money, not exceeding Five Pounds, as to the convicting Justices shall seem

40 meet; and no Person, although liable to the Rate contributing to the Borough Fund of any Borough shall be deemed an incompetent witness in proof of any offence against this Act, by reason of any penalty or forfeiture for such offence being applicable to the use of such Borough Fund; and no Justice of the Peace shall be disabled

151.
Power to summon Witnesses.

Penalty for disobedience of Summons, &c.

No Witness or Justice to be incompetent on the ground of rateability.

from acting in the execution of this Act by reason of his being liable to the Rate contributing to the Borough Fund of any Borough.

152.
Payment of
Penalties, and
mode of levy-
ing the same.

And be it Enacted, That the Justices of the Peace by whom any Person shall be summarily convicted and adjudged to pay any sum of money for any offence against this Act, may adjudge that such Person shall pay the same, either immediately or within such period as the said Justices shall think fit; and in case such sum of money shall not be paid at the time so appointed, the same shall be levied by distress and sale of the goods and chattels of the offender, with the reasonable charges of such distress; and for want of sufficient distress, such offender shall be imprisoned, with or without hard labour, in the Common Gaol or House of Correction, as to the convicting Justices shall seem meet, for any term not exceeding One calendar Month where the sum to be paid shall not exceed Five Pounds, and for any term not exceeding Two calendar Months in any other case; the imprisonment to cease in each of the cases aforesaid, upon payment of the sum due.

153.
Form of
Conviction.

And be it Enacted, That the Justices of the Peace before whom any Person shall be summarily convicted of any offence against this Act, may cause the Conviction to be drawn up in the following form 20 of words, or in any other words to the like effect, as the case may require ; (that is to say)

" } BE it Remembered, That on the day of
(to wit.) }
in the year of our Lord
in the Borough of in the County of 25
A. O. is convicted before us, J. P., and J. J. P.,
two of Her Majesty's Justices of the Peace for the said
County [or, Borough, or otherwise, as the case may be], or
that the said A. O. did [here specify the offence, and the
time and place when and where the same was committed, 30
as the case may be]; and we do adjudge that the said
A. O. shall for the said offence forfeit the sum of
and shall pay the same immediately [or, shall
pay the same on or before the day of]
to the Treasurer for the said Borough, 35
to be by him applied according to the directions of the
Statute in that case made and provided. Given under our
hands the day and year first above mentioned."

154.
Appeal against
Convictions
under this
Act.

And be it Enacted, That any Person who shall think himself aggrieved by any summary conviction in pursuance of this Act 40 may appeal to the next Court of General or Quarter Sessions of the Peace to be holden not less than Twelve Days after such conviction, for

for the County or Division of the County, or for the Borough wherein the cause of complaint shall have arisen; provided that such Person shall give to the complainant a notice in writing of such appeal, and of the cause and matter thereof, within Three Days after
 5 such conviction, and Seven clear Days at the least before such Sessions, and shall also either remain in custody until the Sessions, or within such Three Days enter into a recognizance with a sufficient surety before a Justice of the Peace conditioned personally to appear at the said Sessions and to try such appeal, and to abide the judgment of the Court thereupon, and to pay such costs as shall be by
 10 the Court awarded; and upon such notice being given, and such recognizance entered into, the Justice before whom the same shall be entered into shall liberate such Person if in custody; and the Court at such Sessions shall hear and determine the matter of the appeal, and shall make such order therein, with or without costs to either
 15 party, as to the Court shall seem meet; and in case of the dismissal of the appeal, or the affirmance of the conviction, shall order and adjudge the offender to be dealt with and punished according to the conviction, and to pay such costs as shall be awarded, and shall, if
 20 necessary, issue process for enforcing such judgment.

And be it Enacted, That no conviction, order, warrant or other matter made, or purporting to be made, by virtue of this Act, shall be quashed for want of form; and no warrant of commitment shall be held void by reason of any defect therein, provided that it be
 25 therein alleged that it is founded on a conviction, and there be a good and valid conviction to sustain the same; and where any distress shall be made for levying any money by virtue of this Act, the distress itself shall not be deemed unlawful, nor the party making the same be deemed a trespasser, on account of any defect or want
 30 of form in the summons, conviction, warrant of distress, or other proceedings relating thereto; nor shall the party distraining be deemed a trespasser ab initio on account of any irregularity afterwards committed by him, but the Person aggrieved by such irregularity may recover full satisfaction for the special damage, if any,
 35 in an Action upon the case.

155.
No Certiorari,
&c.

As to informality in Warrants, &c.

AND for the protection of Persons acting in the execution of this Act; BE it Enacted, That all Actions and Prosecutions to be commenced against any Person for any thing done in pursuance of this Act shall be commenced within Twelve calendar Months after the
 40 fact committed, and not otherwise; and notice in writing of such Action, and of the cause thereof, shall be given to the Defendant One calendar Month at least before the commencement of the Action; and in any such Action the Defendant may plead the General Issue, and give this Act and the special matter in evidence at any trial to

156.
Limitation in proceedings against Persons acting under this Act.

Notice of Action.

General Issue.

Tender of
Amends, &c.

be had thereupon; and no Plaintiff shall recover in any such Action if tender of sufficient amends shall have been made before such Action brought, or if a sufficient sum of money shall have been paid into Court after such Action by or on behalf of the Defendant; and if a verdict shall pass for the Defendant, or the Plaintiff shall become nonsuit, or discontinue any such Action after issue joined, or if upon demurrer or otherwise judgment shall be given against the Plaintiff, the Defendant shall recover his full costs as between attorney and client, and have the like remedy for the same as any Defendant hath by law in other cases.

157.
CLAUSE (R.)
When the Act
shall come
into operation.

And be it Enacted, That as soon as any Rate for the relief of the destitute Poor shall have been made in any of the Boroughs named in the said Schedules (A.) and (B.), the Guardians, Wardens or other Officers acting in the management or relief of the destitute Poor, by whom any such rate shall have been made, shall, under the hands of Three or more of them; or in their default, the Commissioners appointed to carry into execution any Act for the relief of the destitute Poor in Ireland, shall, under their seal, certify to the Lord Lieutenant of Ireland that such rate has been made; and upon the receipt of such certificate the Lord Lieutenant shall cause such certificate to be published in the Dublin Gazette, with a declaration that this Act will thenceforward be in force in the Borough or Boroughs named in the certificate; and upon such publication this Act shall come into operation and be in force in the Borough or Boroughs named in such certificate.

158.
Periods con-
nected with
first Registra-
tion and Elec-
tion may be
deferred by
Orders in
Council.

AND whereas it may happen that the several provisions of this Act cannot be carried into effect within the several periods hereinbefore specified and limited in that behalf; BE it therefore Enacted, That it shall be lawful for the Lord Lieutenant of Ireland, if he shall think fit, by the advice of Her Majesty's Privy Council there, to order any convenient day after this Act shall come into operation in any Borough for doing the several matters required or authorized by this Act to be done, on the Fifth day of September, in the first year in which this Act shall come into operation in that Borough, instead of the said Fifth day of September; and in such case all matters mentioned in such order shall be done in the said year, on such day as shall be mentioned in that behalf, in such order, as if the day mentioned in such order had in every instance been mentioned in this Act, instead of the said Fifth day of September, and not otherwise; and all things required or authorized by this Act to be done on any other day, or within any time from or after any day named in this Act, shall be done in the said first year on such other days and within such other times as shall have the same relation in point of time to the day so ordered by the Lord Lieutenant, instead of the Fifth day of September, as the days and time mentioned

mentioned in this Act have to the said Fifth day of September; but if any such day fall on a Sunday, then on the following day; and no Person shall be entitled to be enrolled in the Burgess Roll of any Borough in the first year in which this Act shall come into operation in that Borough, unless he would have been entitled on the Fifth day next before the day so ordered by the Lord Lieutenant, to have his name included in some Churchwarden's List, if such List had been made out on the said Fifth day next before the day so ordered.

- 10 And be it Enacted, That after the passing of this Act, every application to the Court of Queen's Bench, for the purpose of calling upon any Person to show by what warrant he claims to exercise the office of Mayor, Alderman or Councillor in any Borough, shall be made before the end of the term following next but one after the election
15 of the Person against whom such application shall be directed, and not at a subsequent time.

159.
Applications for Quo warrant to be made within the time next but one after Election.

- And be it Enacted, That after the passing of this Act, in case no election shall be made of any Mayor, or any of the Aldermen, Councillors or other Corporate Officers, in any Borough named in
20 the said Schedules, upon the day or within the time appointed by this Act for such election, or such election being made shall afterwards become void, whether such omission or avoidance shall occur through the default of the Officer or Officers who ought to preside at such election, or by any other means or accident whatsoever, the
25 Corporation shall not thereby be deemed to be dissolved or disabled from electing such Mayor, Alderman or Councillor, or other Corporate Officer, for the future; but in case where no such election shall be made as aforesaid, the election for any such Mayor, Alderman, Councillor or other Corporate Officer, may be had, held or pro-
30 ceeded with upon the day next after the day on which such election ought to have been made, unless such day shall happen to be a Sunday, and then upon the Monday following; and every act necessary to be done in order to and for the completing such election, shall and may be then done, and the same shall be as effectual and
35 valid for all purposes as if the election had been made on the proper day appointed for that purpose.

160.
Corporations not to become extinct by reason of Election not being held on appointed days.

- And be it Enacted, That after the passing of this Act, all the powers, authorities and jurisdictions by an Act passed in the Parliament of Ireland, in the nineteenth year of the reign of King
40 GEORGE the Second, intituled, "An Act for the better Regulation of Corporations," given to Her Majesty's Court of Queen's Bench in Ireland, in cases where no election shall be made of the Mayor, Bailiff or Bailiffs, or other Chief Officer or Officers of Cities, Boroughs or Towns Corporate, upon the day or within the time appointed by charter or usage for that purpose, and that no election

161.
Provisions of Act of Irish Parliament, 19 Geo. 2, extended to Elections under this Act.

is made pursuant to the directions in that Act and hereinbefore prescribed, or that such election being made, shall afterwards become void, as in that Act mentioned, shall be and the same are hereby extended to all cases in which no election shall be made of any Mayor, Alderman, Councillor, or other Corporate Officer or other Person, to any Corporate Office, on the day or within the time appointed for any such election under the provisions of this Act; and the said Court of Queen's Bench is hereby empowered in all such cases to award a Mandamus, and to cause such proceedings to be had thereupon, and to make such orders, and to do all other acts, matters and things in respect thereof, as fully and effectually as the said Court is now by law authorized in any other cases of Mandamus for the election of any Officers of Corporations; and the election to be held under such Mandamus shall be held and the proceedings thereupon conducted within the Borough, in the same manner and under the like regulations and provisions as are in said Act of his Majesty King GEORGE the Second enacted and provided.

162.
The Queen
empowered to
grant Charter
of Incorporation.

AND whereas sundry Towns in Ireland not named in the Schedules to this Act annexed are not Towns Corporate, and in some others the Corporations have been extinct, and it may be expedient that several of them should be incorporated, and it may be also expedient that others which are Towns Corporate should be assimilated to the Boroughs mentioned in the Schedules to this Act annexed; BE it Enacted, That if any of the Inhabitant Householders of any Town in Ireland shall petition Her Majesty to grant to them a Charter of Incorporation, it shall be lawful for Her Majesty, by any such Charter, if she shall think fit to grant the same, to extend to the Inhabitants of any such Town within the District to be set forth in such Charter the powers and provisions in this Act contained; and thereupon all former Charters in cases where such Towns are incorporated shall cease at such time as the Lord Lieutenant shall direct, and the powers and provisions in this Act contained shall be carried into effect at such times and in such manner as the Lord Lieutenant shall direct, and as nearly as may be in like manner as if such town or towns were named in either of the Schedules (A.) or (B.) to this Act annexed: Provided nevertheless, That notice of every such Petition, and of the time when it shall please Her Majesty to order that the same be taken into consideration by Her Privy Council, shall be published by Royal Proclamation in the Dublin Gazette One Month at least before such Petition shall be so considered.

163.
Saving the
Rights of the
Governor and
Assistants of

And be it Enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter or take away any of the rights, privileges, powers or authorities vested in or enjoyed by, or duties or liabilities imposed upon, the Society of the Governor and Assistants of

of London of the New Plantation in Ulster, within the realm of Ireland, under or by virtue of any Charter or Charters heretofore granted to them by the Crown.

London of
New Planta-
tion in Ulster.

164.

Interpreta-
tion Clause.

And be it Enacted, That in the construction of this Act the
word "Borough" shall be construed to mean City, Borough or
Town Corporate, named in one of the said Schedules (A.) or (B.);
and the words "Body Corporate" shall be construed to mean
Body Corporate named in one of the said Schedules (A.) or (B.),
and to include all Guilds and Fraternities of, within or con-
nected with such Bodies Corporate respectively; and the word
"Burgess" shall be construed to mean Citizen, in the case of a City;
and the word "County" shall be construed to mean County or Riding;
and the word "Trustees" shall be construed to mean Trustees, Com-
missioners or Directors, or the Persons charged with the execution
of a Trust, or public duty, by whatever name they are designated;
and the word "Parish" shall be construed to extend to any extra-
parochial Precinct or Place, as well as a Parish; and the words
"Lord Lieutenant" shall be construed to mean the Lord Lieutenant,
Lords Justices, or other Chief Governor or Governors of Ireland;
and that in all things hereinafter provided to be done until the first
election of Councillors in any Borough under this Act shall have
been declared, the word "Mayor" shall be construed to mean the
chief officer of a Borough, by whatever name he is now called;
or when there may be no such chief officer, the returning officer
at Elections of Members to serve in Parliament for such Borough;
or when there may be neither any such chief officer or returning
officer, then such Person as the Lord Lieutenant for the time being
shall, by writing under his hand, appoint to perform the duty of
Mayor under the provisions herein contained; and, in describing
any person or thing, any word importing the singular number shall
be construed to mean also several persons or things respectively,
unless there be something in the subject or context repugnant to
such construction; and that no misnomer or inaccurate description
of any Person, Body Corporate or Place named in any Schedule
to this Act annexed, or in any Burgess Roll, Ward List, Notice or
Voting Paper required by this Act, shall hinder the full operation of
this Act with respect to such Person or Place, provided that such
Person or Place shall be so named as to be commonly understood;
and in all cases where an oath or affidavit is required under this
Act, the affirmation or declaration of a Quaker, Moravian or Sepa-
ratist shall be accepted in lieu of such oath or affidavit.

And be it Enacted, That this Act may be amended or repealed by
any Act to be passed in this present Session of Parliament.

165.

Act may be
altered this
Session.

SCHEDULES to which this ACT refers.

SCHEDULE (A.)

PARLIAMENTARY BOUNDARIES to be taken.

BOROUGH.	Wards.	Aldermen.	Councillors.	STYLE OF CORPORATE BODY.
BELFAST - -	5	10	30	The Sovereign, Free Burgesses and Commonalty of the Borough of Belfast.
CLONMEL - -	3	6	18	The Mayor, Free Burgesses and Commonalty of the Town of Clonmel.
CORK - - -	8	16	48	The Mayor, Sheriffs and Commonalty of the City of Cork.
DROGHEDA - -	3	6	18	The Mayor, Sheriffs, Burgesses and Commonalty of the County of the Town of Drogheda.
DUBLIN - - -	16	16	48	The Right honourable the Lord Mayor, Sheriffs, Commons and Citizens of the City of Dublin.
GALWAY - - -	5	10	30	The Mayor, Sheriffs, Free Burgesses and Commonalty of the Town and County of the Town of Galway.
KILKENNY - -	3	6	18	{ The Mayor and Citizens of the City of Kilkenny. The Portreeve, Burgesses and Commons of the Borough or Town of Irishtown.
LIMERICK - -	5	10	30	
LONDONDERRY -	3	6	18	The Mayor, Commonalty and Citizens of Londonderry.
SLIGO - - -	3	6	18	The Provost, Free Burgesses and Commonalty of the Borough of Sligo.
WATERFORD -	5	10	30	The Mayor, Sheriffs and Citizens of County of the City of Waterford, in the Kingdom of Ireland.

SCHEDULE (B.)

SECTION 1.—PARLIAMENTARY BOUNDARIES to be taken.

BOROUGH.	Wards.	Aldermen.	Councillors.	STYLE OF CORPORATE BODY.
ARMAGH - -	-	6	18	The Sovereign, Free Burgesses and Commonalty of the Borough of Armagh.
ATHLONE - -	-	6	18	The Sovereign, Bailiffs, Burgesses and Freemen of the Town of Athlone.
BANDON - -	-	6	18	The Provost, Free Burgesses and Commonalty of the Borough of Bandon Bridge.
CARLOW - -	-	6	18	The Sovereign, Free Burgesses and Commonalty of the Borough of Catherlagh.
CARRICKFERGUS -	-	6	18	The Mayor, Sheriff, Burgesses and Commonalty of the Town of Carrickfergus.
CASHEL - - -	-	6	18	The Mayor, Aldermen, Bailiffs, Citizens and Commons of the City of Cashel.
COLERAINE - -	-	4	12	The Mayor, Aldermen and Burgesses of the Town of Coleraine.
DUNDALK - -	-	6	18	The Bailiff, Burgesses and Commonalty of the Borough of Dundalk.
DUNGANNON - -	-	4	12	The Provost, Free Burgesses and Commons of the Borough of Dungannon.
ENNIS - - -	-	6	18	The Provost, Free Burgesses and Commonalty of the Town of Ennis.
ENNISKILLEN -	-	4	12	The Portreeve, Free Burgesses and Commonalty of the Borough of Enniskillen.
KINSALE - - -	-	6	18	The Sovereign, Burgesses and Commonalty of the Town of Kinsale.
NEW ROSS - - -	-	4	12	The Sovereign and Burgesses of New Ross.
PORTARLINGTON -	-	4	12	The Sovereign, Bailiffs and Burgesses of the Borough and Town of Portarlington.
TRALEE - - -	-	6	18	The Provost, Free Burgesses and Commonalty of the Borough of Tralee.
WEXFORD - - -	-	6	18	The Mayor, Bailiffs, Free Burgesses and Commonalty of the Town or Borough of Wexford.
YOUGHAL - - -	-	6	18	The Mayor, Bailiffs, Burgesses and Commonalty of the Town of Youghal.

SECTION 2.—ANCIENT BOUNDARIES to be taken.

BOROUGH.	Wards.	Aldermen.	Councillors.	STYLE OF CORPORATE BODY.
ARDEE - -	-	4	12	The Portreeve, Burgesses and Commons of the Corporation of Atherdee.
ATHY - - -	-	4	12	The Sovereign, Bailiffs, Free Burgesses and Commonalty of the Borough of Athy.
BOYLE - - -	-	4	12	The Borough Master, Free Burgesses and Commonalty of the Borough of Boyle.
CALLAN - - -	-	4	12	The Sovereign, Burgesses and Freemen of Callan.
CHARLEVILLE -	-	4	12	The Sovereign, Bailiffs and Burgesses of the Borough of Charleville.
CLOGHNAKILTY -	-	4	12	The Sovereign, Free Burgesses and Commonalty of the Borough of Cloghnakilty.
DINGLE - - -	-	4	12	The Sovereign, Burgesses and Commonalty of the Town of Dingle-i-couch.
ENNISCORTHY -	-	4	12	The Portreeve, Free Burgesses and Commonalty of the Borough of Enniscorthy.
FETHARD - - -	-	4	12	The Sovereign, Chief Burgesses, Portreeve and Freemen of the Town of Fethard.
GOREY - - -	-	4	12	The Sovereign, Burgesses and Free Commons of the Borough and Town of Newborough.
KELLS - - -	-	4	12	The Sovereign, Provosts, Burgesses and Commonalty of the Borough of Kells.
LONGFORD - - -	-	4	12	The Sovereign, Bailiffs and Burgesses of the Borough of Longford.
MARYBOROUGH -	-	4	12	The Burgomaster, Bailiffs, Burgesses and Commonalty of Maryborough.
MONAGHAN - - -	-	4	12	The Provost, Free Burgesses and Commonalty of the Borough of Monaghan.
NAAS - - -	-	4	12	The Sovereign, Provost, Burgesses and Commonalty of Naas.
NAVAN - - -	-	4	12	The Portreeve, Burgesses and Freemen of the Town or Borough of Navan.
STRABANE - - -	-	4	12	The Provost, Free Burgesses and Commonalty of the Town of Strabane.
TRIM - - -	-	4	12	The Portreeve, Burgesses and Freemen of Trim.
TUAM - - -	-	4	12	The Sovereign, Free Burgesses and Commonalty of the Borough of Tuam.

No. 4.

LIST OF CLAIMANTS.

THE following Persons claim to have their Names inserted on the Burgess Roll of the Borough of

Christian Name and Surname of each Claimant.	Present Occupancy.	Former Occupancy, as stated in the Claim.
Henry Stilés - - - -	-- House, No. 10, Capel-street.	-- Shop, No. 17, Henry-street, during the last month, and House, No. 6, Aston's Quay, during the five preceding months.

Dated the day of in the year
(signed) A. B. Town Clerk.

No. 5.

LIST OF PERSONS OBJECTED TO.

THE following Persons have been objected to as not being entitled to have their Names retained on the Burgess Roll of the Borough of

Christian Name and Surname of each Person objected to.	Property in respect of which he is said to be entitled to be enrolled in the List of the Churchwardens, Town Clerk or Alderman of the Ward, &c.
Thomas Brady - - - -	No. 3, White's Lane.

Dated the day of in the year
(signed) A. B. Town Clerk.

SCHEDULE (D.)

- BELFAST** - - -- An Act for paving, cleansing, and lighting and improving the several Streets, Squares, Lanes and Passages, within the Town of Belfast, in the County of Antrim, and for removing and preventing all Encroachments, Obstructions and Annoyances therein; and also for establishing and maintaining a Nightly Watch throughout the said Town and Precincts thereof, and for other purposes.
[40 Geo. 3, c. 37.]
- An Act to explain and amend an Act of His present Majesty, for paving, cleansing, lighting and otherwise improving the Town of Belfast, in the County of Antrim, and for better effecting those purposes.
[56 Geo. 3, c. 57.]
- CORK** - - - - -- An Act for the Regulation of the City of Cork, and for other purposes therein mentioned, relative to the said City.
[12 Geo. 3, c. 18.]
- An Act for the better Regulation of the Police of the City of Cork, and for other purposes relative to the said City.
[17 & 18 Geo. 3, c. 38.]
- An Act for the more equal Assessment of Money presented to be raised by the Grand Jury of the County of the City of Cork, and for a new Valuation of the said City, and Survey of the Liberties thereof; and for other purposes relative to Grand Juries.
[53 Geo. 3, c. 111.]
- An Act to explain and amend an Act of His present Majesty, for the more equal Assessment of Money presented to be raised by the Grand Jury of the County of the City of Cork, and for a new Valuation of the said City, and Survey of the Liberties thereof; and for other purposes relative to Grand Juries.
[55 Geo. 3, c. 82.]
- DROGHEDA** - - -- An Act for the better regulating the Parish Watches, and amending the Highways in this Kingdom, and for preventing the misapplication of Public Money.
[6 Geo. 1, c. 10.]
- An Act for continuing and amending an Act, intituled, "An Act for the better regulating the Parish Watches, and amending the Highways in this Kingdom, and for preventing the misapplication of Public Money;" and also for establishing a regular Watch in the City of Dublin, and to prevent Mischiefs which may happen by graving Ships in the River Liffey.
[10 Geo. 1, c. 3.]
- An Act for continuing and amending an Act, intituled, "An Act for the better regulating the Parish Watches, and amending Highways in this Kingdom, and for preventing the misapplication of Public Money; and also for establishing a regular Watch in the City of Dublin, and to prevent Mischief which may happen by graving Ships in the River Liffey;" and also for regulating the Watch in the Town of Drogheda.
[5 Geo. 3, c. 22.]
- LIMERICK** - - -- An Act for paving, cleansing, lighting and watching the Parish of St. Michael, in the Liberties of the City of Limerick, and adjoining the said City, and for preventing and removing Nuisances therein.
[47 Geo. 3, Sess. 2, c. 75.]
- An Act for altering and enlarging the powers of an Act of His present Majesty, for paving, cleansing, lighting and watching the Parish of St. Michael, in the Liberties of the City of Limerick, and adjoining the said City, and for preventing and removing Nuisances therein.
[51 Geo. 3, c. 104.]

LONDONDERRY

-- An Act for building a Bridge over the River Lough Foyle, at the City of Londonderry, and the Suburbs thereof, and for certain Regulations relative to said City. [30 Geo. 3, c. 31.]

An Act for amending an Act passed in the thirtieth year of His Majesty's reign, intituled, "An Act for building a Bridge over Lough Foyle, at the City of Londonderry, and the Suburbs thereof, and for certain Regulations relative to said City.

[40 Geo. 3, c. 41.]

An Act to amend two Acts, so far as relate to supplying the City of Londonderry with Water, improving the Harbour of the said City, and the Regulation of Pilots and Vessels using the same; and for extending the Jurisdiction of the Court held in the said City for the recovery of Small Debts. [48 Geo. 3, c. 136.]

An Act for rebuilding or repairing a Bridge across the River Foyle or Lough Foyle at Londonderry; for enabling the Corporation of that City to raise Money for that purpose; to authorize the advance of a certain Sum of Money out of the Consolidated Fund of Ireland; and for regulating the Fairs and Markets, and improving the Race Course there. [54 Geo. 3, c. 230.]

An Act to amend an Act of the thirtieth year of his late Majesty, for lighting and improving the City of Londonderry.

[5 Geo. 4, c. 152.]

An Act to amend several Acts relating to the City of Londonderry. [6 Geo. 4, c. 180.]

An Act to make more effectual Provisions for lighting, cleansing and watching the City of Londonderry, and to amend several Acts relating to the said City. [2 & 3 Will. 4, c. 107.]

SLIGO - - -

-- An Act for repealing so much of an Act made in the third year of the reign of King GEORGE the Second, intituled, "An Act for cleansing the Ports, Harbours and Rivers of the City of Cork, and of the Towns of Galway, Sligo, Drogheda and Belfast, and for erecting a Ballast Office in the said City, and each of the said Towns, as relates to the Port and Harbour of the Town of Sligo;" and for repealing an Act made in the fortieth year of the reign of His present Majesty, intituled, "An Act for paving, cleansing, lighting and improving the Streets, Quays, Lanes and Passages, in the Town of Sligo, in the County of Sligo; for establishing a Nightly Watch in the said Town; for supplying the said Town with Pipe Water; and for improving and regulating the Port and Harbour thereof; and for making better Provision for the paving, lighting, watching, cleansing and improving of the said Town of Sligo; and for regulating the Porters and Carmen employed therein; and for the better Regulation and Improvement of the Port and Harbour thereof." [43 Geo. 3, c. 60.]

WATERFORD -

-- An Act for better regulating the Police of the City of Waterford [23 & 24 Geo. 3, c. 52.]

SCHEDULE (E.)

No. 1.

FORM of PROCESS of ATTACHMENT of GOODS in COURT of RECORD.

Borough of L. to wit. A. B., of, &c. in, &c. [Name, Residence and Addition of Plaintiff.] Plaintiff. C. D. of, &c. in, &c. [Name, Residence and Addition of Defendant.] Defendant.	}	ATTACH the Defendant by his Goods and Chattels, if found within the jurisdiction of this Court, so that he be before the Recorder of the said Borough at _____ on _____ day, the _____ day of _____ next after the date hereof, to answer the Plaintiff's Suit in an Action for the Sum of [here insert the amount of the Demand], for [here insert the cause of Action], and have you then there this Writ.
---	---	--

Dated this _____ day of _____ One thousand eight hundred _____

G. H. Registrar.

To _____

No. 2.

FORM of SUMMONS in COURT of CONSCIENCE.

Borough of L. to wit. A. B. of, &c. in, &c. [Name, Residence and Addition of Plaintiff.] Plaintiff. C. D. of, &c. in, &c. [Name, Residence and Addition of Defendant.] Defendant.	}	BY the President of the Court of Conscience for the said Borough: The Defendant is hereby required personally to appear before the said President at _____ on _____ day, the _____ day of _____ next after the date hereof, to answer the Plaintiff's Suit for the Sum of [here insert the amount of the Debt], for [here insert the particulars of the Demand]. On default thereof, the said President will proceed as to justice shall appertain.
--	---	---

Dated this _____ day of _____ One thousand eight hundred _____

Signed on behalf of the Plaintiff, }

*Municipal Corporations,
(Ireland.)*

(Ireland.)

A

B I L L

[AS AMENDED ON SECOND RE-COMMITMENT]

For the Regulation of Municipal Corporations
and Borough Towns in Ireland.

*(Prepared and brought in by
Lord John Russell and Lord Viscount Morpeth.)*

*Ordered, by The House of Commons, to be Printed,
18 June 1838.*

[*Price 1s.*]

MUNICIPAL CORPORATIONS (IRELAND) BILL.

CLAUSES

PROPOSED, BY MR. O'CONNELL, TO BE ADDED ON
THIRD READING.

And be it Enacted, That if any person in any of the Boroughs named in the Schedules aforesaid, shall claim to be entitled to be placed on the Burgess Roll thereof, and shall also claim to be exempt from the payment of any Tax, Rate or Cess payable in such Borough, the payment whereof is required to entitle a person to be placed on the Burgess Roll, it shall and may be lawful for the Barrister, or Mayor and Assessors (whose duty it shall be, under the provisions of this Act, to revise the Burgess List or Roll on which such person seeks to be placed) to inquire and determine whether such claim of exemption is a bonâ fide claim, or merely colourable; and if such Barrister or Mayor and Assessors shall determine that such claim is made bonâ fide, and is not a colourable claim, then and in every such case it shall and may be lawful for such Barrister, or Mayor and Assessors and they are respectively hereby required to place the name of such person on the Burgess List or Roll, on payment or tender of One Year's amount of such Rate, Tax or Cess, to the Collector thereof, by such person, or on his lodging such amount to the credit of the said Collector in any of the Banks in manner hereinbefore provided: Provided always, That such payment, tender or lodgment shall not in any respect prejudice or affect the right of such person to exemption from the payment of any part of such Rate, Cess or Tax, or his right to recover back the sum which he shall have so paid, tendered or lodged, nor shall such payment, tender or lodgment in any respect vary, discharge or affect the liability of such person to pay the whole amount of the arrears of such Rate, Tax or Cess which shall be then due, or the remedies for the recovery thereof.

Persons
claiming
Exemption
from payment
of Taxes.

And be it Enacted, That in any of the Boroughs named in the Schedules aforesaid, it shall and may be lawful for any person occupying any House, Warehouse, Counting-house, Office or Shop, to claim to be rated to the relief of the poor in respect of such premises, whether the Landlord shall or shall not be liable to be rated to the relief

Enabling
Occupiers to
claim to be
rated.

of the poor in respect thereof, and upon such occupier so claiming and paying, or tendering to the Collector thereof, or lodging in any of the banks in such Borough, the full amount of the last made rate then payable in respect of such premises, the Overseers of the parish in which such premises are situate, are hereby required to put the name of such occupier upon the rate for the time being, and in case such Overseer shall neglect or refuse so to do, such occupier shall nevertheless, for the purposes of this Act, be deemed to have been rated to the relief of the poor in respect of such premises, from the period at which the rate shall have been made in respect of which he shall have so claimed to be rated as aforesaid : Provided always, That when, by any Act of Parliament or otherwise, the Landlord shall be liable to the payment of the rate for the relief of the poor in respect of any premises occupied by his tenant, nothing herein contained shall be deemed to vary or discharge the liability of such Landlord ; but in case the tenant who shall have been rated for such premises in consequence of such claim as aforesaid, shall make default in the payment of the poor's rate payable in respect thereof, such Landlord shall be and remain liable for the payment thereof in the same manner as if he alone had been rated in respect of the premises so occupied by his tenant.

Declaring
what Taxes
shall be pay-
able in any
Borough.

And be it Enacted, That the Rates, Cesses and Taxes specified in Schedule (F.) to this Act annexed, if the same, or any of them, be payable in any of the Boroughs named in the Schedules aforesaid, shall be and be deemed the Rates, Cesses and Taxes within the meaning of this Act, the payment whereof shall be necessary to entitle a person to be placed on the Burgess Roll of any of said Boroughs ; and no Rate, Cess or Tax not specified in said Schedule (F.) shall be deemed a Rate, Cess or Tax, the payment whereof shall be necessary to entitle a person to be placed on any Burgess Roll.

SCHEDULE (F.), specifying the Taxes, Rates and Cesses, the payment whereof (if the same or any of them are payable in any Borough), shall be necessary to entitle a person to be placed on the Burgess Roll.

The Wide Street Tax ; Grand Jury Cess ; Paving and Lighting Tax ; Watch or Police Tax ; and, Poor Rates.

AND whereas in the City of Dublin and in other Boroughs named in Schedules (A.) and (B.), various Taxes, Rates and Cesses are made payable in advance before the expiration of the period in respect of which they are imposed; BE it Enacted, That no Tax, Rate or Cess shall be deemed to be due and payable within the meaning of this Act, so as to render the payment thereof necessary, in order to entitle the person liable to pay the same to be placed on the Burgess Roll, until after the expiration of the period in respect of which such Tax, Rate or Cess was imposed.

Taxes payable in advance.

MUNICIPAL CORPORATIONS
(IRELAND) BILL.

C L A U S E S

PROPOSED, BY MR. O'CONNELL, TO BE ADDED
ON THIRD READING.

June 1838.



(Ireland.)

A

B I L L

INTITULED,

An Act for the Regulation of Municipal Corporations and Borough Towns in Ireland.

[As returned by The Commons to The Lords, on the 17th June 1836, the Amendments made by The Commons to the Amendments made by The Lords being incorporated in the several Clauses of the Bill.]

WH^{EREAS} divers Bodies Corporate at sundry times Preamble.
have been constituted within the Cities, Towns and
Boroughs of Ireland, to the intent that the same might for ever be
and remain well regulated and quietly governed; and it is expedient
5 that the Charters by which the said Bodies Corporate are constituted
should be altered in the manner hereinafter mentioned: And whereas
it is expedient to provide for the better regulation of Cities and
Borough Towns in Ireland, and to secure the efficient and impartial
administration of justice therein: And whereas provision has been
10 made by law for the establishment of a general system of Police
throughout Ireland, and various Local Acts of Parliament have been
from time to time passed for the regulation of several of the said
Cities and Borough Towns: And whereas by an Act passed in the
ninth year of the reign of King GEORGE the Fourth, intituled, "An 9 G. 4, c. 82.
15 Act to make Provision for the lighting, cleansing and watching of
Cities, Towns Corporate and Market Towns in Ireland, in certain
Cases," provisions are made for the appointment of Commissioners
for lighting, watching, cleansing and paving of any Town in
Ireland, the lighting, watching, cleansing or paving of which is not
20 provided for by or under any local Act of Parliament; **BE** it
therefore Enacted, by The KING's most Excellent MAJESTY, by
and with the Advice and Consent of the Lords Spiritual and Tem-
poral, and Commons, in this present Parliament assembled, and by
597. the

1.
Repeal of all
Acts, Char-
ters and
Customs in-
consistent
with this Act.

the Authority of the same, THAT so much of all Laws, Statutes and usages, and so much of all Royal and other Charters, Grants and Letters Patent, rules, orders and directions now in force relating to the several Boroughs named in the Schedules (A.), (B.) and (C.) to this Act annexed, or to the inhabitants thereof, or to the several 5 Bodies or reputed or late Bodies Corporate named in the said Schedules, or any of them, as are inconsistent with or contrary to the provisions of this Act, shall be and the same are hereby repealed and annulled.

2.
Reservation
of all Rights
of Property
and beneficial
Exemptions
to Freemen,
their Wives
and Children.

And be it Enacted, That every person who now is or hereafter 10 may be an inhabitant of any Borough named in the said Schedules, and also every person who has been admitted, or who, if this Act had not been passed, might hereafter, otherwise than by gift or purchase, have been admitted a Freeman or Burgess of any such Borough, or who now is or hereafter may be the wife or widow, or son or 15 daughter of any Freeman or Burgess or of any such person, or who may have espoused or may hereafter espouse the daughter or widow of any Freeman or Burgess, or of any such person, or who has been or may hereafter be bound an apprentice to any such Freeman or Burgess, or any such person, shall have and enjoy and 20 be entitled to acquire and enjoy the same share and benefit of the lands, tenements and hereditaments, and of the rents and profits thereof, and of the common lands and public stock of such Borough or Body Corporate, and of any lands, tenements, and hereditaments, and any sum or sums of money, chattels, 25 securities for money, or other personal estate of which any person or any Body Corporate may be seised or possessed in whole or in part, for any charitable uses or trusts, as fully and effectually, and for such time and in such manner, as he or she, by any statute, charter, bye-law or custom in force at the time of passing this Act, 30 might or could have had, acquired or enjoyed in case this Act had not been passed: Provided always, That the total amount to be divided amongst the persons whose rights are herein reserved in this behalf shall not exceed the surplus which shall remain after pay- 35 ment of the interest of all lawful debts chargeable upon the real or personal estate out of which the sums so to be divided have arisen, together with the salaries of Municipal Officers and all other lawful expenses which on the Fifth day of June One thousand eight hundred and Thirty-five were defrayed out of or chargeable upon the same: Provided also, That nothing hereinbefore contained shall be 40 construed to apply to any claim, right or title of any Burgess or Freeman, or of any person, to any discharge or exemption from any tolls or dues levied wholly or in part by or to the use or benefit of any Borough or Body Corporate; and that after the passing of this Act no person shall have or be entitled to claim thenceforward
any

any discharge or exemption from any tolls or dues lawfully levied in whole or in part by or to the use of any Body Corporate, except as hereinafter is excepted: Provided nevertheless, That every person who on the said Fifth day of June One thousand eight hundred and Thirty-five was an inhabitant or was admitted or was entitled to be admitted a Freeman or Burgess of any such Borough or Body Corporate, or who on the said Fifth day of June was the wife or widow, son or daughter, of any Freeman or Burgess of any such Borough or Body Corporate, or who on the said Fifth day of June was bound an apprentice, shall be entitled to have or acquire and enjoy the same discharge or exemption from any tolls or dues lawfully levied, in whole or in part, by or to the use of any Body Corporate, as fully, and for such time and in such sort, as he or she, by any statute, charter, bye-law or custom in force on the said Fifth day of June might or would have had, acquired and enjoyed the same if this Act had not been passed, and no further or otherwise: Provided also, That where, by any statute, charter, bye-law or custom in force within any such Borough at the time of passing this Act, any person whose rights in this behalf are herein reserved would have been liable in case this Act had not been passed to pay any fine, fee or sum of money to any Body Corporate, or to any member, officer or servant of any Body Corporate, in consideration of his freedom, or of his or her title to such rights as are herein reserved, no such person shall be entitled to have or claim any share or benefit in respect of the rights herein reserved as aforesaid until he or she shall have paid the full amount of such fine, fee or sum of money to the Treasurer of such Borough appointed under the provisions of this Act, on account of the Borough Fund, or to the Commissioners for the time being having the management of the Town Fund hereinafter mentioned, belonging to the town in which such Body Corporate shall have been constituted, on account of such fund, but if there shall be no such Borough or Town Fund, every such person shall be entitled to have or claim such share or benefit as aforesaid, without payment of any fine, fee or sum of money: Provided also, That nothing in this Act contained shall be construed to entitle any person to any share or benefit of the rights herein reserved who shall not have first fulfilled every condition which if this Act had not passed would have been a condition precedent to his or her being entitled to the benefit of such rights, so far as the same is capable of being fulfilled according to the provisions of this Act, or to strengthen, confirm or affect any claim, right or title of any Burgess or Freeman of any Borough or Body Corporate, or of any person, to the benefit of any such rights as are hereinbefore reserved, but the same in every case may be brought in question, impeached and set aside in like manner as if this Act had not been passed.

3.
No person to
be admitted a
Freeman by
Gift or Pur-
chase.

Provided always, and be it Enacted, That from and after the passing of this Act no person shall be elected, made or admitted a Burgess or Freeman of any such Borough or Body Corporate by gift or purchase.

4.
Corporations
to be styled
Mayor, Alder-
men and
Burgesses.

And be it Enacted, That after the first Election of Councillors 5
under this Act in any Borough, the Body or reputed or late Body Cor-
porate named in the said Schedules in connexion with such Borough,
or if there be no such Body Corporate, the Inhabitants of such
Borough, qualified as hereinafter mentioned, shall take and bear the
name of the Mayor, Aldermen and Burgesses of such Borough, and 10
by that name shall have perpetual succession, and shall be capable
in law, by the Council hereinafter named of such Borough, to do
and suffer all acts which such Bodies Corporate lawfully may do and
suffer, and shall be entitled to, invested with and possessed of all 15
the lawful rights, trusts, properties and estates now or of late
legally vested in or belonging or which of right ought to belong to
such Boroughs or Bodies Corporate respectively, save only and
except those vested in the charitable Trustees of such Boroughs,
pursuant to the provisions hereinafter contained; and the Mayor of
each of the said Boroughs shall be capable in law to do and suffer 20
all acts which the chief officer of such Borough might or may law-
fully do and suffer, so far as such powers, rights, trusts, and pri-
vileges respectively are not altered or annulled by the provisions of
this Act.

5.
Boundaries
of certain
Boroughs to
be those set-
tled by 2 & 3
W: 4, c. 89.

And be it Enacted, That after the passing of this Act the Metes 25
and Bounds of the several Boroughs named in the said Schedules
(A.) and (B.) shall, for the purposes of this Act, be the same as the
limits thereof respectively settled and described in an Act passed
in the second and third years of the reign of His present Majesty,
intituled, "An Act to settle and describe the Limits of Cities, Towns, 30
and Boroughs in Ireland, in so far as respects the Election of Mem-
bers to serve in Parliament."

6.
Occupiers of
Houses and
Shops of the
value of 10 l.
in Boroughs
named in
Schedule (A.),
and of the
value of 5 l.
Boroughs
named in
Schedules
(B.) and (C.),
entitled to be
Burgesses, if
resident
within Seven
Miles.

And be it Enacted, That after the passing of this Act every man
of full age who shall on the last day of August in any year be an
inhabitant householder resident within any Borough named in the 35
said Schedule (A.), or within Seven statute Miles of the said
Borough, and shall hold and occupy within such Borough any
house, warehouse, counting-house, office or shop, which, either
separately or jointly with any land within such Borough occupied
therewith by him as tenant under the same landlord, or occupied 40
therewith by him as owner, shall be truly and really of the full
yearly value of Ten Pounds or upwards, shall, if duly enrolled
according to the provisions hereinafter contained, be a Burgess of
such

such Borough, and member of the Body Corporate of the Mayor, Aldermen and Burgesses of such Borough: Provided always, That no such occupier shall be admitted to be enrolled under this Act unless he shall have occupied such premises within said Borough, or other premises of the like nature within the said Borough, really and truly of the full yearly value of Ten Pounds, for the space of Six calendar Months at the least next preceding such enrolment, nor unless such occupier shall have paid or discharged all such Grand Jury and municipal cesses, rates and taxes, if any, which shall have become legally due and payable by him in respect of such premises, except such as shall have been imposed or become due within Three calendar Months next before such enrolment: Provided that in every case provided in this Act the distance of Seven Miles shall be computed by the nearest public road or way by land or water; provided that no person, being an alien, shall be so enrolled in any year, and that no person shall be enrolled who, within Twelve calendar Months next before the said last day of August, shall have received any pension or charitable allowance from any Fund intrusted to the charitable Trustees of such Borough hereinafter mentioned, other than medical or surgical assistance; and provided that no person shall be disqualified from being enrolled as a Burgess by reason that any child of such person shall have been admitted and taught within any public or endowed school.

And be it Enacted, That where any house, warehouse, office, counting-house or shop in any Borough shall come to any person by descent, marriage, marriage settlement, devise or promotion to any benefice or office, such person shall be entitled to reckon the holding and occupancy thereof by the person from or by whom such house, warehouse, office, counting-house or shop shall have so come to him as his own holding and occupancy, conjointly with the time during which he shall have since held and occupied the same, and shall be entitled to be enrolled a Burgess in respect of such successive holding and occupancy, provided he shall be otherwise qualified as herein provided.

And be it Enacted, That if any person who shall have been enrolled a Burgess of any Body Corporate within any Borough according to the provisions of this Act shall at any time thereafter cease to hold and occupy a house, warehouse, office, counting-house or shop within the Borough, or cease to be an inhabitant householder within the same or within Seven Miles thereof, or neglect or refuse to pay such cesses, rates and taxes as aforesaid, due from him at the time of the revision of the Burgess Roll, except as hereinbefore is excepted, his name shall at the then next revision of the Burgess Roll be struck out from the said Burgess Roll, and he shall there-

7.
In case of
Titles by
descent, &c.
how the
occupation
is to be
reckoned.

8.
Burgesses
who cease to
be Occupiers
within the
Borough, or
neglect to pay
their Rates, to
be omitted
from the Bur-
gess Roll, but
may be re-
stored at any
subsequent
revision of the
Burgess Roll.

upon cease to be a Burgess and member of the said Body Corporate: Provided nevertheless, That at any future revision of the Burgess Roll he shall be entitled again to be and be enrolled a Burgess and member of the said Body Corporate, when he shall be duly qualified as herein provided.

5

9.
No Burgess
to be elected
who is not
qualified under
this Act.

And be it Enacted, That after the passing of this Act no person shall be elected or enrolled a Burgess of any Borough for the purpose of enjoying the rights conferred for the first time by this Act in respect of any right or title other than by residence, occupancy and payment of cesses, rates and taxes within such Borough, according to the meaning and provisions of this Act; and from 10
and after the passing of this Act no person shall be elected, made or admitted a Burgess or Freeman of any Borough by gift or purchase.

10.
Persons who
before the
passing of this
Act would
have been
entitled to
vote for Mem-
bers of Par-
liament may
still enjoy
such right.

AND whereas the right of voting in the election of Members to 15
serve in Parliament was, by an Act passed in the second and third years of the reign of His present Majesty, intituled, "An Act to amend the Representation of the People of Ireland," preserved to all Freeman, Freeholders and persons who by reason of any corporate or other right were then by law entitled to vote at the elec- 20
tion of a Member or Members to serve in Parliament for any City, Town or Borough, and all persons who, by reason of birth, marriage or service, or of any statute then in force, should be at any time thereafter admitted to their freedom in any city, town or borough, subject to the conditions and provisions in that Act contained; BE 25
it Enacted, That all persons now entitled to vote at the Election of a Member or Members to serve in Parliament for any city, town or borough, shall continue to enjoy such right as fully as if this Act had not been passed; and that every person who if this Act had not been passed would have enjoyed or might hereafter have 30
acquired, in respect of birth or marriage, or servitude as a Freeman, the right of voting in the Election of a Member or Members to serve in Parliament for any City, Town or Borough, shall be entitled to acquire and enjoy such right of voting as fully as if this Act had not been passed, notwithstanding he shall not have been admitted 35
to the freedom, or his name have been placed on the Roll; and the provisions and directions contained in the said Act of the second and third years of the reign of His present Majesty, and in any other Act or Acts of Parliament now in force for registering persons as voters, and for claiming and determining the right to be regis- 40
tered, shall extend and be applied to every such person, notwithstanding he shall not have been admitted to his freedom, in like manner as the same would have been applicable to him if he had been admitted to his freedom.

And

And be it Enacted, That on or before the Fifth day of September in this year the Churchwardens of every parish wholly or in part within any Borough shall make out an alphabetical List, according to the Form Number 1 in the Schedule (D.) to this Act annexed, of all persons, with their respective residences, who shall be entitled to be enrolled in the Burgess Roll according to the provisions of this Act in respect of property within such Parish and Borough, and shall sign such List, and deliver the same, on the said Fifth day of September, to the Town Clerk, or person acting as such, and if there shall be no Town Clerk, to the Mayor, Provost or other chief officer of the Corporate Body, or the person acting as such, and when there shall be no such officer, then to the person appointed by the Lord Lieutenant as hereinafter directed, and shall keep a true copy of such List, to be perused by any person, without payment of any fee, at all reasonable hours between the said Fifth and the Fifteenth day of September aforesaid.

11.
Churchwardens of each Parish to make out Lists in this present year of persons qualified as Burgesses in each Borough.

And be it Enacted, That in extra-parochial places and in parishes where there is no Churchwarden, or where the Churchwarden may be absent or incapable of acting, the Lord Lieutenant shall appoint, by writing under his hand, a proper person to perform the duty of Churchwarden under this Act, and the acts of such person shall be as valid as if done by a Churchwarden.

12.
Extra-parochial Places, &c.

And be it Enacted, That on or before the Fifth day of September in every succeeding year the Town-clerk of such Borough shall make out an alphabetical List, according to the said Form Number 1 in the Schedule (D.) to this Act annexed, of all persons who shall be entitled to be enrolled in the Burgess Roll of that year within such Borough, and shall sign such List, and shall on that day deliver a true copy of such List signed by himself, to the Mayor of such Borough, and shall himself keep such original List to be perused by any person without payment of any fee at all reasonable hours between the Fifth and Fifteenth days of September in every year; and the Town Clerk shall forthwith cause copies to be printed of all lists delivered to him by the Churchwardens, and of all Lists made out by himself or under his direction, and shall deliver a copy of all such Lists to any person requiring the same, on payment of a sum of One Shilling for each copy, and shall cause a copy of all such Lists to be fixed on or near the outer door of the Town Hall, or in some public and conspicuous situation within the Borough on every day during the week next preceding the Fifteenth day of September in every year: Provided always, That in any Borough in which there shall be no Town Clerk, or in which the Town clerk shall be incapable of acting, all matters by this Act required to be done by and with regard to the Town Clerk shall be done by and with regard

13.
Town Clerks to make out Lists in Boroughs.

to the person executing duties in such Boroughs similar to those of Town Clerk ; and if there be no such person, or if such person shall be incapable of acting, then by and with regard to such fit person as the Mayor of such Borough shall appoint in that behalf.

14.
Persons
omitted from
the Lists to
give Notice
to the Town
Clerk.

Notices as to
Persons not
entitled to be
retained in
the Lists.

Lists of
Claimants,
and of Persons
objected to, to
be published,
&c.

And be it Enacted, That every person whose name shall have been omitted in any such List, and who shall claim to have his name inserted on the Burgess Roll shall, on or before the Fifteenth day of September in every year, give notice thereof to the Town Clerk in writing, according to the Form Number 2 in the said Schedule (D.), or to the like effect ; and every person whose name shall have been inserted in any such List for any Borough may object to any other person as not being entitled to have his name retained in the Burgess Roll for the same Borough ; and every person so objecting shall, on or before the Fifteenth day of September in every year, give to the Town Clerk of such Borough, and also to the person objected to, or leave at the premises in respect of which his name shall have been inserted in such List, notice thereof in writing, according to the Form Number 3 in the said Schedule (D.), or to the like effect ; and every Town Clerk shall include the names of all persons so claiming in a List according to the Form Number 4 in the said Schedule (D.), and the names of all persons so objected to in a List according to the Form Number 5 in the said Schedule (D.), and shall cause copies of such Lists to be fixed on or near the outer door of the Town Hall, or in some public and conspicuous situation within such Borough, during the Eight days next preceding the First day of October in every year ; and the Town Clerk shall likewise keep a copy of the names of all the persons so claiming as aforesaid, and also a copy of the names of all persons so objected to as aforesaid, to be perused by any person without payment of any fee at all reasonable hours during the Eight days, Sunday excepted, next preceding the First day of October in every year, and shall deliver a copy of each of such Lists to any person requiring the same on payment of a sum not exceeding One Shilling for each copy.

15.
Mayor to
revise Lists,
and upon due
proof to insert
and expunge
Names.

And be it Enacted, That the Barrister appointed as hereinafter stated in the present year, and the Mayor of every Borough and the Two Assessors hereinafter mentioned in every succeeding year, shall hold an open Court within such Borough for the purpose of revising the said Lists, at some time between the First day of October inclusive and the Fifteenth day of October inclusive in every year, having first given Three clear Days' Notice of the holding of such Court, to be fixed on or near the door of the Town Hall, or in some public and conspicuous situation within the Borough ; and the Town Clerk of every such Borough shall at the opening of the

the Court produce the said Lists before him, and a copy of the Lists of the persons claiming and of the persons objected to, so made out as aforesaid ; and the several Churchwardens for the present year of every parish wholly or in part within every such Borough shall
5 attend the Court to be holden in this present year ; and such Town Clerk and Churchwardens respectively shall answer upon oath all such questions as the Court may put to them or any of them touching any matter necessary for revising the said Lists ; and the Mayor shall insert in such Lists the name of every person who shall be
10 proved to the satisfaction of the Court to be entitled to be enrolled in the Burgess Roll according to the provisions of this Act, and shall retain on the said Lists the names of all persons to whom no objection shall have been duly made and sustained ; and where the name of any person inserted in any one of the said Lists shall have been
15 duly objected to, and the person objecting shall appear by himself or by some one on his behalf in support of such objection, the Court shall require proof of the qualification of the person so objected to ; and in case the qualification of such person shall not be proved to the satisfaction of the Court, the Mayor shall expunge the name of
20 every such person from the said Lists ; and he shall also expunge from the said Lists the name of every person who shall be proved to be dead, and shall correct any mistake or supply any omission which shall be proved to have been made in any of the said Lists in respect to the name or place of abode, or local description of the
25 property of any person who shall be included in any such List : Provided always, That no person's name shall be inserted by the Mayor in any such List, or shall be expunged therefrom, except in the case of death, unless notice shall have been given as is hereinbefore required in each of the said cases : Provided also, That no
30 ground of objection shall be inquired into at any such Court other than is stated in some notice so given as aforesaid : Provided further, That it shall be lawful for the Lord Lieutenant of Ireland to appoint, by warrant under his hand, so many Barristers, of not less than Five Years' standing at the Bar, as he shall think fit, to revise the
35 List of Burgesses in any City, Town or Borough in the present year ; and the Barrister so appointed shall, for that purpose, be in the place and stead of the Mayor and Assessors of such City, Town or Borough, and shall revise the List of Burgesses in this year, and have all such powers as the Mayor and Assessors will possess in the
40 succeeding year.

Power to rectify mistakes in the Lists.

Lord Lieutenant may appoint Revising Barristers for the present year.

And be it Enacted, That every Mayor or Barrister holding any Court under this Act for the revision of the said Lists shall have power to adjourn the same from time to time, so that no such adjourned Court shall be held after the Fifteenth day of October in any

16.
 Mayor, on revising the Lists, to have power of adjourning, of administering

Oaths, &c.,
and shall settle
and sign the
Lists in open
Court.

year, and shall have power to require any High-constable, Church-
warden or other person authorized to applot, collect or levy any
Grand Jury Cess or Municipal Rate or Tax, within any Parish
wholly or in part within the Borough, or other person or persons
having the custody of any Book of Applotment or Rate or Valuation, 5
to produce the same, and allow same to be inspected at any Court
to be held for revision of the Burgess Roll, and shall have power
to administer an oath to the Town Clerk and Churchwardens, and to
all persons claiming to be inserted in or making objection to the
omission or insertion of any name in the said Lists, and to all per- 10
sons objected to in any of such Lists, and to all persons claiming
to have any mistake in any such Lists corrected, and to all Witnesses
who may be tendered or examined on either side; and if any person
taking any oath or making any affirmation under this Act shall wil-
fully swear or affirm falsely, such person shall be deemed guilty of 15
Perjury, and shall be punished accordingly; and the Mayor and
Assessors or Barrister shall, upon hearing in open Court, determine
upon the validity of such claims and objections; and the Mayor or
Barrister shall, in open Court, write his initials against the names
respectively struck out or inserted, and against any part of the said 20
Lists in which any mistake shall have been corrected, and shall sign
his name to every page of the several Lists so settled.

17.
Remuneration
to Revising
Barrister, &c.

And be it Enacted, That every Barrister appointed to revise any
List under this Act shall be paid at the rate of Five Guineas for
every day he shall be so employed, over and above his travelling 25
expenses; and every such Barrister, after the termination of his
last sitting, shall lay before the Commissioners of His Majesty's
Treasury a statement of the number of days during which he shall
have been so employed in each Borough, and an account of the
travelling expenses incurred by him in respect of such employment; 30
and the said Lords Commissioners shall make an order for the
amount to be paid to such Barrister out of the Consolidated Fund;
provided that as soon as a Council shall be chosen in any Borough
under the provisions of this Act, the said Lords Commissioners shall
make an order on the Council of such Borough for the amount paid 35
to such Barrister, and the Council shall forthwith cause the same to
be repaid to the said Lords Commissioners out of the Borough Fund
of such Borough, and the same, if not paid, shall be deemed to be a
debt due to His Majesty, and recoverable as such: Provided further,
That if it shall appear to the Lord Lieutenant that, for any cause, 40
the List cannot be revised within the period directed by this Act, it
shall be lawful for him to appoint One or more Barrister or Barristers
to act in the place of or in addition to any before appointed, who
shall have the same power as if originally appointed.

And

18.

Borough Lists to be kept by the Town Clerk, and copied into Books, with the Names numbered.

Such Book to be the Register of Voters from which Election shall be made.

No Stamp Duty payable on Enrolment.

19.

Mayor wilfully and corruptly expunging or not inserting any Name, liable to an Action.

Mayor, Town Clerk, or Churchwarden neglecting duty, guilty of a Misdemeanor.

And be it Enacted, That the Lists so revised and signed as last aforesaid, shall be delivered by the Mayor to the Town Clerk of such Borough, who shall keep the same, and shall cause the said Lists to be fairly and truly copied into one general alphabetical list in a book to be by him provided for that purpose, with every name therein numbered, beginning the numbers from the first name, and continuing them in a regular series to the last name, and shall cause such book to be completed on or before the Twenty-second day of October in every year, and shall deliver such book, together with the lists, at the expiration of his office, to the person succeeding him in such office; and every such book shall be the Burgess Roll of the Burgesses of such Borough entitled to vote, after the passing of this Act, in the choice of the Council, Assessors and Auditors of such Borough as hereinafter mentioned, at any election which may take place in such Borough between the Twenty-fifth day of October inclusive in the year wherein such Burgess Roll shall have been made and the Twenty-fifth day of October in the succeeding year; provided that no stamp duty shall be payable in respect of the admission, registry or enrolment of any Burgess, according to the provisions of this Act.

And be it Enacted, That if any such Mayor shall wilfully and corruptly expunge the name of any person duly entitled to be enrolled on the said Burgess Roll, or shall wilfully and corruptly disallow the claim of any such person duly entitled to have his name inserted in such Burgess Roll, such Mayor shall be liable to be sued by way of civil bill in an action of debt for the penal sum of Ten Pounds at the suit of such person in the Court of the Assistant Barrister, Chairman or Recorder having jurisdiction by way of civil bill within such Borough; and if any such Mayor shall wilfully and corruptly insert or retain in such List the name of any person who shall not be duly entitled to be enrolled on such Burgess Roll, such Mayor shall be liable to be sued by way of civil bill in an action of debt for the penal sum of Ten Pounds at the suit of any Burgess of the said Borough who shall sue for the same in the Court of the Assistant Barrister, Chairman or Recorder having jurisdiction by way of civil bill within such Borough; and the Defendant in such action respectively, being convicted, shall pay such penal sum so awarded, with full costs of suit, to the party who may sue for the same; and if any Mayor, Town Clerk or Churchwarden shall wilfully neglect to make out such Lists, or wilfully omit the name of any person which ought to be inserted thereon, or wilfully insert in or retain on such Lists the name of any person which ought not to be inserted thereon, or wilfully neglect or refuse to perform the duties or any part thereof by this Act imposed, he shall be deemed guilty of a Misdemeanor, and may be indicted and punished accordingly.

20.
Copies of
Burgess Roll
to be made
for Sale.

And be it Enacted, That the Town Clerk of every Borough shall cause to be written or printed copies of the Burgess Roll in every year, and shall deliver such copies to all persons applying for the same, on payment of a reasonable price for each copy; and the monies arising from the sale thereof, and of the Churchwardens and Town Clerks' Lists, and of the Lists of Claims and Objections as aforesaid, shall be paid over to the Treasurer of such Borough, and shall be applied by him in aid of the Borough Fund hereinafter mentioned; and the Town Clerk of every Borough shall on or before the First day of December next make out a List, to be called "The Burgess and Freeman's Roll," of all persons who at the time of the passing of this Act shall have been admitted as Freemen of such Borough; and that whenever any person shall become entitled to be admitted a Freeman of such Borough in respect of birth, servitude or marriage, and shall claim to be admitted accordingly, the Mayor of such Borough shall examine into such claim, and upon such claim being established every such person shall thereupon be admitted and enrolled by the Town Clerk of such Borough upon the said Roll; and the Town Clerk shall keep a true Copy of such Roll, to be perused by any person, without payment of any fee, at all reasonable times, and shall deliver a copy thereof to any person requiring the same, on payment of a reasonable price for such copy.

21.
Expenses of
Lists how to
be defrayed.

And be it Enacted, That the Council of every Borough shall take an account of the reasonable expenses incurred in carrying into effect the several provisions of this Act, so far as relates to the said Lists, and shall order the Treasurer of the said Borough to pay the same out of the Borough Fund of the said Borough.

22.
Mayor, Aldermen and
Councillors to
be chosen in
every Borough.

And be it Enacted, That in every Borough shall be elected, at the time and in manner hereinafter mentioned, a certain number of fit persons, who shall be and be called "The Aldermen" of such Borough, and a certain number of other fit persons, who shall be called "The Councillors" of such Borough, and One fit person, who shall be and be called "The Mayor" of such Borough; and the number of persons to be so elected Councillors of such Borough shall be the number of persons in that behalf mentioned in conjunction with the name of such Borough in the Schedules (A.), (B.) and (C.) to this Act annexed; and the number of persons so to be elected Aldermen shall be One-third of the number of persons so to be elected Councillors; and such Mayor, Aldermen and Councillors for the time being, or so many of them as shall at any time be elected and have accepted the offices, shall be and be called "The Council of such Borough."

23.
Who not
qualified to be
chosen Mayor,
Alderman or
Councillor.

And be it Enacted, That no person being in Holy Orders, or being the regular Minister of any Dissenting Congregation, shall be qualified

qualified to be elected, or to be a Councillor or an Alderman of any Borough ; nor shall any person be qualified to be elected or to be a Councillor or an Alderman of any Borough named in said Schedule (A.) to this Act annexed, who shall not be entitled to be on the
5 Burgess List of such Borough, nor unless he shall be seised or possessed of real or personal estate, or of both, of the clear value of One thousand Pounds above what will satisfy his debts, or shall occupy, and shall for Twelve Months next previous have occupied, a house of the clearly yearly value of Twenty Pounds or upwards,
10 situate within the Borough ; nor shall any person be qualified to be elected, or to be a Councillor or an Alderman of any Borough during such time as he shall hold any office or place of profit, other than that of Mayor, in the gift or disposal of the Council or charitable Trustees of such Borough, or while he is an uncertified bankrupt,
15 or during such time as he shall have, directly or indirectly, by himself or his partner, any share or interest in any contract or employment with, by or on behalf of such Council or charitable Trustees ; provided that no person shall be disqualified from being a Councillor or Alderman of any Borough as aforesaid by reason of
20 his being a proprietor or shareholder of or in any Company which shall contract with the Council of such Borough for lighting or supplying with water any part of the said Borough, or insuring against fire any property therein.

And be it Enacted, That every Burgess of any Borough who shall
25 be enrolled on the Burgess Roll for the time being of such Borough, shall be entitled to vote in the election of Councillors and of the Auditors and Assessors hereinafter mentioned for such Borough ; and no person who shall not be enrolled in such Burgess Roll for the time being, shall have any voice or be entitled to vote in any
30 such election.

24.
Who shall
vote in the
election for
Councillors.

And be it Enacted, That on the Twenty-fifth day of October in this present year, the Burgesses in each Borough mentioned in said Schedules, and not divided into Wards as hereinafter directed, shall elect from among the persons qualified to be Councillors of such
35 Borough, the number of persons mentioned in the Schedules to this Act annexed in conjunction with such Borough, as the number of Aldermen and Councillors of said Borough ; and One-fourth part of the persons so elected, being those who shall have the greatest number of votes, shall be the Aldermen of said Borough, and the
40 remaining Three-fourths shall be the Councillors of such Borough.

25.
Directing the
election of
Aldermen and
Councillors.

And be it Enacted, That upon the Twenty-fifth day of October One thousand eight hundred and Thirty-seven, and in every succeeding year, One-third part of the number appointed as aforesaid to be the whole number of the Councillors of every Borough shall go

26.
One-third part
of the Council
to go out of
Office
annually.

out of office, and the Burgesses then enrolled in the Borough shall elect the number of Councillors needed to supply the vacancies thereupon existing in the number of Councillors; and in the said year One thousand eight hundred and Thirty-seven, those who shall so go out of office shall be the Councillors who were elected under the provisions of this Act by the smallest numbers of votes in this present year, and in the next year, One thousand eight hundred and Thirty-eight, those who shall so go out of office shall be the Councillors who were elected under the provisions of this Act by the next smallest numbers of votes in this present year, the majority of the whole Council always determining when the votes for any such persons shall have been equal, or in case there shall have been no contest, who shall be the persons so to go out of office; and thereafter those who shall so go out of office shall always be the Councillors who have been for the longest time in office without re-election: Provided always, That any Councillor so going out of office shall be capable of being forthwith re-elected, if then qualified as herein provided.

27.
One-half the
number of
Aldermen to
go out of
office every
Three Years.

And be it Enacted, That on the Twenty-fifth day of October One thousand eight hundred and Thirty-nine, and in every Third succeeding year, one-half of the number appointed to be the whole number of Aldermen of every Borough shall go out of office, and the Burgesses then enrolled in the Borough shall elect the number of Aldermen needed to supply the vacancies thereupon existing in the number of Aldermen, and in the year One thousand eight hundred and thirty-nine the Aldermen who shall go out of office shall be the Aldermen who were elected by the smallest number of votes in this year, and the majority of the council determining when the votes for any such persons shall have been equal, or in case there shall have been no contest, who shall be the Aldermen first to go out of office; and thereafter those who shall go out of office shall always be those who have been Aldermen for the longest time without re-election: Provided always, That any Alderman on going out of office may be forthwith re-elected if then qualified.

28.
Elections how
to be held.

Mode of
voting.

And be it Enacted, That every election of Aldermen or of Councillors within any Borough according to the provisions of this Act shall be held before the Mayor and Assessors for the time being of such Borough, except as herein is excepted; and the voting at every such election shall commence at Nine of the clock in the Forenoon, and shall finally close at Four of the clock in the Afternoon of the same day, and shall be conducted in manner following; (that is to say) every Burgess entitled to vote in the election may vote for any number of persons not exceeding the number of Aldermen or Councillors then to be chosen, by delivering to the Mayor a Voting Paper containing the christian names and surnames of the persons for whom

whom he votes, with respective places of abode and descriptions, such paper being previously signed with the name of the Burgess voting, and with the name of the street, lane or other place in which the property in respect of which he is enrolled is situated.

5 And be it Enacted, That at every election under this Act in any Borough, the Mayor, if it shall appear to him expedient for taking the poll at such election, may cause Booths to be erected, or rooms to be hired and used as such Booths, for different parts of such Borough, and such Booths or rooms may be situated either in one
10 place or in several places, and shall be so divided and allotted into compartments as to the Mayor shall seem most convenient ; and the Mayor shall appoint a Clerk to take the poll at each compartment, and shall cause to be affixed on the most conspicuous part of each of the said Booths the names of the parts of the Borough for which
15 such Booth is respectively allotted ; and no person shall be admitted to vote at any such election except at the Booth allotted for the part wherein the house, warehouse, counting-house, office or shop occupied by him as described in the Burgess Roll may be ; but in case no Booth shall happen to be provided for any particular part
20 as aforesaid, the votes of the persons voting in respect of property situate in any part so omitted may be taken at any of the said Booths ; and public notice of the situation, division and allotments of the different Booths shall be given Two Days before the commencement of the poll by the Mayor ; and in case the Booths shall
25 be situated in different places, the Mayor may appoint a deputy to preside at each place : Provided that no election shall be holden under this Act in any Borough in any church, chapel or other place of public worship.

29.
Polling Booths
to be provided.

30 And be it Enacted, That no inquiry shall be permitted at any election as to the right of any person to vote as a Burgess in any Borough, except only as follows ; (that is to say) that the Mayor or other presiding officer shall, if required by any Two Burgesses entitled to vote in the same Borough, put to any voter at the time of his delivering in his Voting Paper, and not afterwards, the following questions, or any of them, and no other :

30.
No inquiry
of the Voter,
except as to
his identity,
and whether
he has voted
before at the
same Election.

1. Are you the person whose name is signed A. B. to the Voting Paper now delivered in by you ?

Forms of
Questions as
to these points.

2. Are you the person whose name appears as A. B. on the Burgess Roll now in force for this Borough, being registered therein for property described to be situated in ?

[Here specify the street, &c. as described in the Burgess Roll.]

3. Have you already voted at the present election ?

And no person required to answer any of the said questions shall be permitted or qualified to vote until he shall have answered the same ; and if any person shall wilfully make a false answer to any of the questions aforesaid, he shall be deemed guilty of a Misdemeanor, and may be indicted and punished accordingly.

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31.
Result of
Election how
to be declared.

And be it Enacted, That the Mayor and Assessors shall examine the Voting Papers so delivered as aforesaid, for the purpose of ascertaining which of the several persons voted for are duly elected ; and so many of such persons, being equal to the number of persons then to be chosen, as shall have the greatest number of votes, shall be deemed to be elected ; and in case of an equality in the number of votes for any Two or more persons, the Mayor and Assessors, or any Two of them, shall name from amongst those persons for whom the number of votes shall be equal so many as shall be necessary to complete the requisite number of persons to be chosen ; and the Mayor shall cause the Voting Papers to be kept in the office of the Town Clerk during Six calendar Months at the least after every such election, and the Town Clerk shall permit any Burgess to inspect the Voting Papers of any year, on payment of One Shilling for every search ; and the Mayor shall publish a list of the names of the persons so elected, together with the number of votes given in favour of each person so elected, not later than Two of the clock in the afternoon of the day next but one following the day of such election, unless such day be Sunday, and then on the Monday following : Provided always, That if the Mayor or any Assessor of any Borough shall at the time when it shall be necessary to execute the powers and duties herein provided with respect to electors be dead, absent or otherwise incapable of acting, the Council of such Borough shall forthwith elect one of the Aldermen to execute all such powers and duties in his place, whose acts shall be as valid as any act of the person instead of whom he shall have been so elected.

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32.
Election of
Auditors and
Assessors.

And be it Enacted, That on the Tenth day of November in the Year One thousand eight hundred and Thirty-six, and in every succeeding year, the Burgesses of every Borough shall elect from the persons qualified to be Councillors, by a majority of votes, Two Burgesses, who shall be and be called Auditors of such Borough, and Two Burgesses, who shall be and be called Assessors of such Borough ; and every such Auditor and Assessor shall continue in office until the Tenth day of November in the year following his election ; and the election of such Auditors and Assessors respectively shall be in form and manner hereinbefore provided for the election of Councillors : Provided nevertheless, That in every such election of Auditors or Assessors no Burgess shall vote for more than

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than One person to be an Auditor or Assessor : Provided also, That no Burgess shall be eligible to be or be elected such Auditor or Assessor as aforesaid who shall be of the Council, or the Town Clerk or Treasurer of such Borough.

5 And be it Enacted, That after the declaration of the first election of the Councillors under the provisions of this Act in any Borough, the Mayor, Aldermen and Common Councilmen, and all other members of the Common Council or governing Body of the Body Corporate, if any, named in conjunction with such Borough in the
 10 said Schedules (A.) and (B.) by whatever name or style they may be known or called, then in office, or elected to any office, shall go out of office, and their whole powers and duties shall cease : Provided nevertheless, That any of the said persons shall be eligible to be elected and appointed under the provisions of this Act : Provided
 15 also, That in every Borough in which by statute, charter, bye-law or custom, any election is appointed to be holden between the day of the passing of this Act and the said Twenty-fifth day of October, both inclusive, no such election shall be holden ; but every person holding office or elected to any office in any Borough on the day of
 20 the passing of this Act shall hold such office, and have all the powers, and be subject to all the duties and be entitled to the same or a proportion of the same salary and fees of such office for the time for which he shall act as he would have had and been if elected to such office between the day of the passing of this Act
 25 and the said Twenty-fifth day of October until the time provided by this Act for him to go out of office, any statute, charter, bye-law or custom notwithstanding.

33.
Existing
Mayors and
Councils to
go out of
office on elec-
tion of Coun-
cils under this
Act.

AND whereas it is expedient that certain Boroughs of large population should be divided into Wards before any election of
 30 Councillors for such Boroughs shall take place ; BE it Enacted, That every Borough in the said Schedule (A.) shall be divided into the number of Wards mentioned in such Schedule in conjunction with the name of such Borough ; provided that Parliament, by an Act to be passed in this present Session, shall direct in what man-
 35 ner such division shall be made, and shall apportion among the several Wards of such Borough the number of Councillors and Aldermen mentioned in conjunction with the name of such Borough in the said Schedule, so that the number of Councillors assigned to each Ward may be a number divisible by Three, and the number
 40 of Aldermen One-third of the number of Councillors, and in that case the number of Councillors and Aldermen so assigned to each Ward of such Borough shall thenceforth be the number to be elected in such Ward as hereinafter mentioned.

34.
Certain
Boroughs to
be divided
into Wards.

35.
Election of
Councillors
and Assessors
in Wards.

And be it Enacted, That in every case in which there shall be a division into Wards of any Borough the Burgesses of every such Ward, and none others, shall on the Twenty-fifth day of October next separately elect from the persons qualified to be Councillors the whole number of Aldermen and Councillors assigned to such Ward; and the One-fourth of the persons so elected who shall have the greatest number of votes shall be the Aldermen of such Ward, and the remaining Three-fourths shall be the Councillors of such Ward; and the Burgesses of such Ward, and none others, in every subsequent year, shall separately elect from the persons qualified to be Councillors One-third part of the whole number of Councillors assigned to such Ward, and in every Third subsequent year One-half of the whole number of Aldermen assigned to such Ward, and on the First day of November next after the first election of Councillors in such Ward and in every subsequent year shall separately elect from the persons qualified to be Councillors Two Assessors for such Ward, besides the Two Assessors chosen as aforesaid by the Burgesses of the whole Borough, to hold the Court with the Mayor for revising the Burgess Lists; and every such Ward election first after such division into Wards of any Borough shall be held before the Mayor, or the person whom the Mayor for the time being shall, and he is hereby required to appoint in that behalf, and in every succeeding year shall be held before the Alderman whom the Councillors chosen in such Ward shall yearly appoint in that behalf, and before the Two Assessors of such Ward; and the votings and other proceedings in all other respects at such Ward elections shall be conducted in the same manner as at elections of Aldermen, Councillors or Assessors respectively by the Burgesses of the whole Borough, and the Alderman and Assessors of each Ward, and the persons who may be so appointed, shall have the same powers in regard to elections in their Ward as the Mayor and Assessors for the whole Borough if not divided into Wards; and every person so elected an Alderman, Councillor or Assessor in such Ward shall hold his office for the same time that he would have held it if he had been elected by the Burgesses of the whole Borough, and if the number elected in such Ward had been the whole number for the Borough.

36.
Lists of the
Burgesses in
each Ward to
be made out
yearly.

And be it Enacted, That, for the purpose of better ascertaining who are the Burgesses of any such Ward, the Burgess Roll of every Borough so divided into Wards shall thenceforward yearly be made out by or under the direction of the Town Clerk, in alphabetical Lists of the Burgesses in each Ward, to be called "Ward Lists."

37.
Burgesses to
vote for the
Councillors of
the Ward in

And be it Enacted, That after such division into Wards every Burgess of any Borough shall be entitled to vote in the election of
the

the Aldermen and Councillors to be chosen within that Ward in which some part of the property of such Burgess in respect of which he is enrolled on the Burgess Roll for the time being of such Borough shall appear to be situated, and not otherwise ; and in case it shall happen that any Burgess shall be enrolled in respect of property in Two or more Wards, then he shall be entitled, if otherwise duly qualified according to the provisions of this Act, to be enrolled and vote in such one of the said Wards as he shall at the time of his enrolment select, but not in more than One.

which their
Property is
situate.

10 And be it Enacted, That if at any election of Aldermen, Council-
cillors or Assessors for any Borough any person shall be elected an
Alderman, Councillor or Assessor in more than One of the Wards
of such Borough, he shall within Three Days after notice thereof
choose or in his default the Mayor shall declare for which one of
15 the said Wards such Alderman, Councillor or Assessor shall serve,
and such person shall thereupon be held to be elected in that Ward
only which he shall so choose or which the Mayor shall so declare.

38.
Manner of
proceeding if
any person is
elected a
Councillor in
more than
One Ward.

And be it Enacted, That if an extraordinary vacancy shall be
occasioned in the office of Alderman, Councillor, Auditor or Assessor
20 for any Borough, the Burgesses entitled to vote shall, on a day to
be fixed by the Mayor of such Borough or by the Alderman of the
Ward in which the vacancy has happened, accordingly as the Elec-
tion is to be by the Burgesses of the whole Borough or of any parti-
cular Ward (such day not to be later than Ten Days after such
25 vacancy), elect from the persons qualified to be Councillors another
Burgess to supply such vacancy ; and such election shall be held,
and the voting and other proceedings, in case of a contest, shall be
conducted in the same manner and subject to the same provisions
as are hereinbefore enacted with respect to the election of Council-
30 lers as aforesaid ; and every person so elected shall hold such office
until the time at which the person in room of whom he was chosen
would regularly have gone out of office, and he shall then go out of
office, but shall be capable of immediate re-election, if then qualified
as herein provided : Provided always, That after the full number to
35 be regularly elected of the Council in any year shall have declared
their acceptance of office no new election of Councillors shall be
made by reason of such extraordinary vacancy, unless the number of
Councillors remaining after such vacancy shall not exceed Two-thirds
of the whole number of the Councillors of such Borough.

39.
Occasional
Vacancies in
the Council to
be filled up by
fresh Election.

40 And be it Enacted, That on the First day of November in every
year the Council of the Borough shall elect out of the Aldermen or
Councillors of such Borough a fit person to be the Mayor of such
Borough, who shall continue in his office for One whole year ; and

40.
Election of
Mayor by
Council.

in case of an equality of votes in any election of Mayor, the Alderman who shall have been elected by the greatest number of votes shall have a second or casting vote ; and in case a vacancy shall be occasioned in the office of Mayor of the Borough during such year, by reason of any person who shall have been elected to such office not accepting the same, or by reason of his dying or ceasing to hold the said office, the Council of the Borough shall within Ten Days after such vacancy elect of the Aldermen or Councillors of the said Borough another fit person to be the Mayor thereof for the remainder of the then current year.

41.
Election of
Aldermen of
the Wards.

And be it Enacted, That in case any extraordinary vacancy shall be occasioned in the office of Alderman by reason of any person who shall have been elected to such office not accepting the same, or by reason of his dying or ceasing to hold the said office, the Burgesses, in case no division into Wards shall have been made, and when such division shall have been made the Burgesses of the Ward in which the vacancy may have occurred, shall within Ten Days after such vacancy elect out of the Councillors or persons qualified to be Councillors of the Borough another fit person to be an Alderman of the Ward instead of the person so declining, dying or ceasing to hold office.

42.
Mayor and
Councillors
not to act
until they
have made a
declaration of
acceptance of
Office.

And be it Enacted, That no person elected a Mayor, Alderman or Councillor, Assessor or Auditor for any Borough under the provisions of this Act, shall be capable of acting as such, except in administering the declaration hereinafter contained, until he shall have made and subscribed before any Two or more of such Aldermen or Councillors (who are hereby respectively authorized and required to administer the same) a declaration in the words or to the effect following ; (that is to say)

“ I, A. B., having been elected Mayor [or, Alderman, Councillor, Auditor or Assessor] for the Borough of do hereby declare, That I take the said office upon myself, and will duly and faithfully fulfil the duties thereof according to the best of my judgment and ability.”

And in case of the party being required to be qualified by estate, say,

“ And I do hereby declare, That I am seised or possessed of real or personal estate [or both, as the case may be] to the amount of One thousand Pounds over and above what will satisfy my debts.”

“ That I now occupy and have for Twelve months last past occupied a house of the clear yearly value of Twenty pounds, situate within the Borough of .”

Provided

Provided that when a rate shall have been imposed in any Borough under this Act, the words "rated as being of the value of Twenty Pounds" shall be inserted instead of the words "of the clear yearly value."

- 5 And that every Alderman who shall have made and subscribed the foregoing declaration in respect of estate shall once in every period of Three Years, if required in writing so to do by any Two Members of the Council, make and subscribe a Declaration that he is qualified to the same amount in real or personal estate, or both, as the case
10 may then be, as the amount mentioned in the declaration originally made or subscribed by him.

- And be it Enacted, That every person duly qualified who shall be elected to the office of Alderman, Councillor, Auditor or Assessor, and every Councillor or Alderman who shall be elected to the office
15 of Mayor for any Borough shall accept such office to which he shall have been elected, or shall in lieu thereof pay to the Mayor, Aldermen and Burgesses of such Borough such fine, not exceeding Fifty Pounds in case of Aldermen, Councillors, Assessors or Auditors, and such fine not exceeding One hundred Pounds in case of Mayor, as
20 the Council of such Borough; by a bye-law to be made as hereinafter provided shall declare in that behalf; and such fine, if not duly paid, shall be levied by the warrant of any Justice having jurisdiction within such Borough, who is hereby required on application of the Council to issue the same, by distress and sale of the goods and
25 chattels of the person so refusing to accept such office with the reasonable charges of such distress, and shall also be recoverable by way of civil bill in an action of debt, at the suit of the Mayor, Aldermen and Burgesses of such Borough, in the Court of the Assistant-Barrister, Chairman or Recorder having jurisdiction by way of civil
30 bill within such Borough; and every such person so elected shall accept such office, by making and subscribing the declaration hereinbefore mentioned within Five Days after notice of his election, otherwise such person shall be liable to pay the said fine as for his non-acceptance of such office, and such office shall thereupon be deemed
35 to be vacant, and shall be filled up by a fresh election to be made in the manner hereinbefore mentioned: Provided always, That no person disabled by lunacy or imbecility of mind, or by deafness, blindness or other permanent infirmity of body, shall be liable to such fine as aforesaid: Provided also, That every person so elected
40 to any such office, who shall be above the age of sixty-five years, or who shall be a Member of Parliament or Sheriff of a County, or who shall have already served such office respectively or paid the fine for not accepting such office respectively, within Five Years from the day on which he shall be so re-elected, shall be exempted from accepting or serving the same office if he shall claim such exemption

43.
Every Burgess elected to the office of Councillor, and every Councillor elected to the office of Mayor or Alderman of the Ward, shall accept the office, or pay a Fine to the Borough Fund.

Exemptions.

within Five Days after notice of his election ; and that nothing herein contained shall extend to compel the acceptance of any office or duty whatever in any Borough by any military, naval or marine officer in His Majesty's Service on full pay, or any officer of Excise or Customs, or any person employed in any of His Majesty's dockyards, victual- 5
ling establishments, arsenals or barrack, or any person serving in the office of High or Sub-Sheriff of a county at large, or being a Member of the House of Commons : Provided further, That no person enabled by law to make an affirmation or declaration instead of taking an oath shall be liable to any fine for non-acceptance of office 10
in any Borough.

44.
Any Mayor or Councillor, if he shall be declared bankrupt, or insolvent, or absent himself from the Borough, shall lose his office.

Provided always, and be it Enacted, That if any person holding the office of Mayor, Alderman or Councillor for any Borough shall be declared bankrupt, or shall apply to take the benefit of any Act for the Relief of Insolvent Debtors, or shall compound by deed with 15
his creditors, or, being Mayor, be absent for more than Two calendar Months, or, being an Alderman or Councillor, for more than Six Months at one and the same time (unless in case of illness or other reasonable cause to be allowed by the Council), from the Borough of which he shall be Mayor, Alderman or Councillor, then and in every 20
such case such person shall thereupon immediately become disqualified and shall cease to hold the office of such Mayor, Alderman or Councillor as aforesaid, and in case of such absence shall be liable to the same fine, to be recovered in the same manner, as if he had refused to accept the said office, and the Council thereupon shall 25
forthwith declare the said office to be void, and shall signify the same by notice in writing under the hands of Three or more of them, countersigned by the Town Clerk, to be affixed in some public place within the Borough, and the said office shall thereupon become void ; but every person so becoming disqualified and ceasing to hold such 30
office on account of his being declared a bankrupt, or of his applying to take the benefit of any Act for the Relief of Insolvent Debtors, or having compounded with his creditors as aforesaid, shall, on obtaining his certificate or on payment of his debts in full be capable, if otherwise qualified, of being re-elected to such office ; and every 35
person becoming disqualified to hold such office on account of absence as aforesaid shall on his return to such Borough be capable of being re-elected to such office, provided he shall then be otherwise qualified.

45.
Penalty on person not qualified, &c. acting as Mayor, Alderman, or Councillor.

And be it Enacted, That if any person shall act as Mayor, 40
Alderman or Councillor, or Auditor or Assessor, for any Borough, without having made the declaration hereinbefore required in that behalf, or without being duly qualified at the time of making such declaration, or after he shall have ceased to be qualified according
to

to the provisions of this Act, or after he shall have become disqualified to hold any such office, he shall for every such offence forfeit the sum of Fifty Pounds, such sum to be recovered, with full costs of suit, by any person who will sue for the same within
5 Three calendar Months after the commission of such offence, by action of debt or on the case in any of His Majesty's Superior Courts of Record; and every person so sued by reason of not being so qualified in respect of estate shall prove that he was at the time of so acting qualified as aforesaid, or otherwise shall pay the said
10 penalty, without any further evidence being given on the part of the plaintiff than that such person has acted as the Mayor, or as Alderman, Councillor, Auditor or Assessor (as the case may be) of such Borough: Provided always, That it shall be lawful for any defendant by Judge's order, or by the order of the Court, to be
15 obtained within Fourteen Days after he shall have been served with process in any such action, to require the plaintiff to give security for costs; and in such case all further proceedings in the said cause shall be stayed until the plaintiff shall give security to the satisfaction of the proper officer of the Court for the costs of such action
20 in case a verdict shall pass for the defendant, or the plaintiff shall become nonsuit or discontinue such action, or if upon demurrer or otherwise judgment shall be given against the plaintiff, and the defendant shall in either of such cases recover his full costs as between attorney and client: Provided also, That no such action
25 shall be brought except by a Burgess of such Borough, nor unless the Burgess bringing the same shall, within Fourteen Days after the commission of the offence, have served a notice in writing personally upon the party committing such offence of his intention to bring such action; and in case the plaintiff in any such action shall
30 obtain a verdict, the money so to be recovered shall, after payment of the costs and expenses attending the recovery thereof, be paid and apportioned as follows; (that is to say) one Moiety thereof to the person so suing, and the other Moiety thereof to the Treasurer to be appointed by virtue of this Act, to be by him applied in aid of
35 the Borough Fund: Provided always, That all acts and proceedings of any person in possession of the office of Mayor, Alderman, Councillor, Auditor or Assessor, and acting as a Mayor, Alderman, Councillor, Auditor or Assessor, shall, notwithstanding such disqualification or want of qualification, be as valid and effectual as if
40 such person had been duly qualified: Provided also, That whenever any day by this Act appointed as a day of election, or for doing any act in any year, shall happen on a Sunday, in every such case the election shall be held as the act done on the Monday following.

Proviso.

46.

Persons convicted of bribery disqualified from

And be it Enacted, That if any person who shall have or claim to have any right to vote in any election of Mayor, or of an Alderman,
597. C 4 man,

voting at any
Election for
Members of
the Council.

man, Councillor, Auditor or Assessor of any Borough shall, after the passing of this Act, ask or take any money or other reward by way of gift, loan or other device, or agree or contract for any money, gift, office, employment or other reward whatsoever, to give or forbear to give his vote in any such election, or if any person, by himself or any person employed by him, shall, by any gift or reward, or by any promise, agreement or security for any gift or reward, corrupt or procure, or offer to corrupt or procure, any person to give or forbear to give his vote in any such election, such person so offending in any of the cases aforesaid shall for every such offence forfeit the sum of Fifty Pounds, to be recovered, together with full costs of suit, by any one who shall sue for the same, by action of debt, bill, plaint or information, in any of His Majesty's Courts of Record at Dublin; and any person offending in any of the cases aforesaid, being lawfully convicted thereof, shall for ever be disabled to vote in any election in such Borough, or in any Municipal or Parliamentary election whatever in any part of the United Kingdom, and also shall for ever be disabled to hold, exercise or enjoy any office or franchise to which he then shall or at any time afterwards may be entitled as a Burgess of such or any other Borough, as if such person was naturally dead.

47.

Persons offending in any of the cases aforesaid discovering others so offending, within Twelve Months, discharged from all Penalties.

And be it Enacted, That if any person offending in any of the cases aforesaid shall, within the space of Twelve calendar Months next after such election as aforesaid, discover any other person or persons offending in any of the cases aforesaid, so that such person or persons so discovered be therein convicted, such person so discovering, and not having been before that time convicted of any such offence, shall be indemnified and discharged from all penalties and disabilities which he shall then have incurred by any such offence.

48.

No person to be made liable to incapacity or penalty, unless Prosecution commenced within Two Years.

Provided always, and it is hereby Enacted, That no person shall be made liable to any incapacity, disability, forfeiture or penalty by this Act imposed in any of the cases aforesaid, unless prosecution be commenced within Two Years after such incapacity, disability, forfeiture or penalty shall be incurred; any thing herein contained to the contrary notwithstanding.

49.

The Mayor to be a Justice of the Peace for the Borough and for the County, and Returning Officer at Elections of Members to serve in Parliament.

And be it Enacted, That the Mayor for the time being of every Borough shall be a Justice of the Peace of and for such Borough, and such Mayor shall, during his mayoralty, have precedence in all places within the Borough, and in Boroughs which return a Member or Members to serve in Parliament, other than cities and towns which are counties of themselves, shall be the Returning Officer at all elections for such Members; and such Mayor or other Returning Officer

officer of any Borough shall, if he shall think fit, or if any candidate shall require the same, be assisted in such of the said Boroughs as shall have a Recorder by the Recorder of such Borough as his Assessor at such election ; and in case the Mayor shall, at the time
 5 when it shall be necessary to execute the powers and duties herein provided with respect to any elections, be dead or absent, or otherwise incapable of acting, the Council of such Borough shall forthwith elect one of the Aldermen to be the Returning Officer for such Borough in the place of the Mayor being so dead, absent or other-
 10 wise incapable.

And be it Enacted, That the Council of every Borough in every year shall appoint, to be removable at their pleasure, a fit person, not being a member of the Council, to be the Town Clerk of such Borough, and one other fit person, not being a member of the
 15 Council, to be the Treasurer of the Borough, and also such other officers as have been usually appointed in such Borough, or as they shall think necessary for enabling them to carry into execution the various powers and duties vested in them by virtue of this Act, and may from time to time discontinue the appointment of such officers
 20 as shall appear to them not necessary ; and shall take such security for the due execution of his office by any such Town Clerk, Treasurer or other officer, as the said Council shall think proper ; and shall order to be paid to the Mayor, and to the Town Clerk and Treasurer, and to every such other officer to be employed as afore-
 25 said, such salary or allowances as the said Council shall think reasonable ; and in case of any vacancy in any such office as afore- said, by death, resignation, removal or otherwise, the Council of such Borough may appoint another fit person in the place of the person so making such vacancy ; provided that the Town Clerk and
 30 Treasurer shall not be the same person.

50.
 Power to Council to appoint Town Clerk, Treasurer, and other Officers, and to take security for due discharge of their official duties.

And be it Enacted, That the Treasurer of any Borough shall pay no money on account of the Mayor, Aldermen and Burgesses of such Borough, save only in such case as is provided by this Act, or upon the order in writing of the Council, signed by Three or more
 35 members of the Council, and countersigned by the Town Clerk of such Borough, or for the payment of the salaries granted to any Recorder or Police Magistrate as hereinafter provided, or by order of the Court of Sessions of the Peace for the Borough, or of a Justice of the Peace acting in and for the Borough in the discharge of his
 40 judicial duty in such case as is provided by this Act, or in such case as a Court of Sessions of the Peace for any County, or a Justice of the Peace acting in and for a County in the discharge of his judicial duty, may make an order for the payment of money on the Treasurer of such County.

51.
 Treasurer to pay no Money but by order of Council.

52.
County Co-
roners to act
in other
Boroughs.

And be it Enacted, That the Council elected under this Act in any Borough shall have power to remove from his office every Town Clerk, Bailiff, Treasurer or Chamberlain, and every other ministerial or executive officer of such Borough and Body Corporate, except the Sheriff, who shall be in office at the time of the first election of Councillors under this Act; and every such Town Clerk, Bailiff, Treasurer or Chamberlain, and every other ministerial or executive officer in such Borough, shall continue to act in the same capacity as heretofore, and to execute all the duties heretofore belonging to his office, and be entitled to have the same salaries, fees and emoluments as he would have had if this Act had not been passed, until he shall be removed from his office, and no longer, unless he shall be re-appointed according to the provisions of this Act; and every officer who shall be in possession or receipt of any monies, goods, valuable securities, books or papers belonging to or concerning the Body Corporate whose officer he is shall deliver up and account for the same to the Council of such Body Corporate appointed under this Act; and in case they or any of them shall refuse or wilfully neglect to deliver such accounts, vouchers and lists, or to make such payments, or to deliver such books, papers and writings, or to give satisfaction respecting the same, as is hereinbefore provided in the case of officers appointed by such Council, they and every of them may be proceeded against, and shall be subject and liable to the several provisions hereinbefore contained in cases of officers appointed by such Council: Provided always, That all the charters, deeds, muniments and records of every Borough, or relating to the property thereof, shall be kept in such place as the Council from time to time shall direct, and the Town Clerk for the time being shall have the charge and custody of and be responsible for the same.

53.
Justices of the
Peace in
Counties of
Towns to
continue in
office until
separate Com-
missions shall
have been
granted to
those Towns;
and in other
Towns until
1st January
1837.

And be it further Enacted, That the powers and duties of all persons who by virtue of any Charter shall at the time of the passing of this Act be Justices of the Peace in such of the Towns named in the said Schedule (A.) to this Act annexed as are Counties of Cities or Counties of Towns, and in the City and Liberties of Londonderry, notwithstanding they may have ceased to hold the office by virtue of which they shall be such Justices, shall continue until separate Commissions of the Peace shall have been granted to such Counties of Cities or Counties of Towns respectively and no longer; and the powers and duties of all persons; who by virtue of any Charter shall be Justices of the Peace in such of the said Towns as are not Counties of Cities or Counties of Towns shall cease on the First day of January One thousand eight hundred and Thirty-seven.

And

And be it further Enacted, That the powers and duties of all persons who at the time of the passing of this Act shall be Justices of the Peace with salaries or fees, by virtue of any Act or Acts of Parliament now in force, in any Town named in the said Schedule (A.) to this Act annexed, whether such persons shall be such Justices in their respective corporate capacities, or shall have been elected or appointed by any such Body Corporate or any member or members thereof in his or their corporate capacity, and where such persons shall have been such Justices in their respective corporate capacities, notwithstanding that they shall have ceased to hold the offices by virtue of which they shall be such Justices, shall continue, and the same police offices and officers and servants and establishments for the performance of such powers and duties, and all laws and provisions relating thereto, shall be continued and remain in force in the same manner as if this Act had not been passed, until such time as the Lord Lieutenant shall, by notice to be published in the Dublin Gazette, declare that the same shall determine, and at the time to be mentioned in any such notice the powers and duties of the person or persons therein named as Justice or Justices in such town shall cease.

54.
The powers of salaried Magistrates under Acts of Parliament continued until determined by the Lord Lieutenant.

And be it Enacted, That every officer of any Borough or County who shall be in any office of profit at the time of the passing of this Act whose office shall be abolished, or who shall be removed from his office under the provisions of this Act, or who shall not be re-appointed as aforesaid, shall be entitled to have an adequate compensation, to be assessed by the Council and paid out of the Borough Fund, for the salary, fees and emoluments of the office which he shall so cease to hold, regard being had to the manner of his appointment to the said office, and his term or interest therein, and all other circumstances of the case; and every person entitled to such compensation as aforesaid shall deliver to the Town Clerk, or in case such person shall himself be Town Clerk, then to the Treasurer of the Borough, a statement under the hand of such person setting forth the amount received by him or his predecessors in every year during the period of Five Years next before the passing of this Act, on account of the salary, fees, emoluments, profits and perquisites in respect whereof he shall claim such compensation, distinguishing the office, place, situation, employment or appointment in respect whereof the same shall have been received, and containing a declaration that the same is a true statement according to the best of the knowledge, information and belief of such person, and also setting forth the sum claimed by him as such compensation; and the Town Clerk or Treasurer, as the case shall be, shall lay such statement before the Council, who shall take the same into consideration, and determine thereon; and immediately upon such determination

55.
Officers to receive Compensation on removal.

being made, the person preferring such claim, if he shall not himself be the Town Clerk, shall be informed thereof by notice in writing under the hand of the Town Clerk; and in case such claim shall be admitted in part and disallowed in part, such notice shall specify the particulars in which the same shall have been admitted and disallowed respectively; and in case the person preferring such claim shall think himself aggrieved by the determination of the Council thereon, or in case One-third of the members of the Council shall subscribe a protest against the amount of compensation allowed by the determination of the Council as excessive, it shall be lawful for the person preferring such claim, or any member of the Council who shall subscribe such protest, to appeal to the Lords Commissioners of His Majesty's Treasury, who shall thereupon make such order as to them shall seem just; and such order, signed by Three or more of such Lords Commissioners, shall be binding on all parties: Provided always, That if the Council shall not determine on such claim within Six calendar Months after the aforesaid statement shall be delivered to the Town Clerk or Treasurer, as the case shall be, such claim shall be considered as admitted: Provided also, That it shall not be lawful for any member of the Council to subscribe such protest as aforesaid except within such period of Six calendar Months: Provided also, That the person preferring such claim, if any member of the Council shall so require, upon receiving notice in writing signed by the Town Clerk, unless such person shall himself be Town Clerk, in which case no such notice shall be requisite, shall from time to time attend at any meeting or adjourned meeting of the Council for the investigation of such claim, and then and there, upon his oath or solemn affirmation, or his declaration, to be taken or made before the Mayor (who is hereby authorized to administer the same), shall answer all such questions as shall be asked by any member of the Council touching the matters set forth in the statement subscribed by such person as aforesaid, and produce all books, papers and writings in his possession, custody or power relating thereto: Provided also, That every such officer who shall be continued in or re-appointed to such office under the provisions of this Act, and who shall be subsequently removed from such office for any cause other than such misconduct as would warrant removal from any office held during good behaviour, shall be entitled to compensation in like manner as if he had been forthwith removed under the provisions of this Act, and had not been continued in or re-appointed to such office.

56.
Compensation
to be secured
by bond under
Common Seal.

And be it Enacted, That the value of the sum payable to any person as such compensation as aforesaid, if not forthwith paid, shall be secured to such person by bond or obligation under the common seal of the Borough out of whose funds the same shall be payable

payable, in a sufficient penalty, conditioned for the payment to such person, his executors or administrators or assigns, of the value of such sum, with interest, and all arrears thereof (if any) accrued due before the date of such bond ; and such bond or obligation shall
5 be prepared and executed at the expense of the Borough Fund, and delivered to the person entitled to such compensation as soon as conveniently may be after the amount thereof shall have been admitted as aforesaid by the Council of the Borough, or shall have been determined, in the event of such appeal as aforesaid, by order
10 of the said Lords Commissioners.

And be it Enacted, That all pensions and allowances granted on or before the Fifth day of June One thousand eight hundred and Thirty-five, by the Corporate Body named in the said Schedules in conjunction with any Borough, to any retired officer or servant, or
15 to the widow or child of any officer or servant, and all stipends and allowances which during Seven Years next before the said Fifth day of June have been usually paid and granted to the Minister or late Minister of any Church or Chapel, or to the Master or Usher of any School, or to the Governor or Master of any Hospital within
20 such Borough, and all charitable allowances which have been usually paid as aforesaid to the inmates of any almshouses by such Corporate Body, shall be secured, as soon as conveniently may be after the passing of this Act, to every person entitled or accustomed to have and receive the same, by bond or obligation under the
25 common seal of the Borough out of whose funds the same shall be payable, in a sufficient penalty, conditioned for the payment to such person, his executors and administrators, of such pension, stipend or allowance, with all arrears thereof, if any, accrued due before the date of such bond ; and such bond or obligation shall be pre-
30 pared and executed at the expense of the Borough Fund.

57.
Reservation
of certain
Pensions and
Allowances.

And be it Enacted, That all Acts whatsoever authorized or required by virtue of this Act to be done by the Council of any Borough, and all questions of adjournment or others that may come before such Council, may be done and decided by the majority of the members of
35 the Council who shall be present at any meeting held in pursuance of this Act, the whole number present at such meeting not being less than One-third part of the number of the whole Council ; and at all such meetings the Mayor, if present, shall preside ; and the Mayor, or, in case of the absence of the Mayor, such Alderman or Councillor and
40 members of the Council then assembled shall choose to be the Chairman of that meeting, shall have a second or casting vote in all cases of equality of votes, except in the election of Mayor, as aforesaid ; and minutes of the proceedings of all such meetings shall be drawn up and fairly entered in a book to be kept for that purpose, and shall

58.
Questions to
be decided by
a majority of
Councillors
present ; One-
third Part of
whole num-
ber to be a
Quorum.

be signed by the Mayor, Alderman, or Councillor presiding at such meeting ; and the said minutes shall be open to the inspection of any Burgess at all reasonable times on payment of a fee of One Shilling : Provided always, That previous to any meeting of the Council held by virtue of this Act, a notice of the time and place of such intended meeting shall be given Three clear Days at least before such meeting, by fixing the said notice on or near the door of the Town Hall of the Borough ; and such notice shall be signed by the Mayor, who shall have power to call a meeting of the Council as often as he shall think proper ; and in case the Mayor shall refuse to call any such meeting after a requisition for that purpose signed by Five Members of the Council at the least shall have been presented to him, it shall be lawful for the said Five Members to call a meeting of the Council by giving such notice as is hereinbefore required in that behalf, such notice to be signed by the said members instead of the Mayor, and stating therein the business proposed to be transacted at such meeting ; and in every case a summons to attend the Council, specifying the business proposed to be transacted at such meeting, signed by the Town Clerk, shall be left at the usual place of abode of every member of the Council, or at the premises in respect of which he is enrolled a Burgess, Three clear Days at the least before such meeting ; and no business shall be transacted at such meeting other than is specified in the notice : Provided always, That there shall be in every Borough Four quarterly meetings in every year at which the Council shall meet for the transaction of general business, and no notice shall need to be given of the business to be transacted on such quarterly days ; and the said quarterly meetings shall be holden at noon on the First day of November, or if the First day of November shall fall on a Sunday on the day following, and at such hour on such other Three days before the Twenty-fifth day of October then next following as the Council at the quarterly meeting in November shall decide ; and the first business transacted at the quarterly meeting in November shall be the election of Mayor.

59.
Power to
Council to
appoint
Committees.

And be it Enacted, That it shall be lawful for the Council of any Borough to appoint out of their own body, from time to time, such and so many Committees, either of a general or special nature, and consisting of such number of persons as they may think fit, for any purposes which in the discretion of such Council would be better regulated and managed by means of such Committees : Provided always, That the acts of every such Committee shall be submitted to the Council for their approval.

60.
Charitable
Trustees.

AND whereas it is expedient that the administration of any real or personal estate of which any Body Corporate now stands seised

or

or possessed in trust as to the whole or in part for certain charitable trusts, be kept distinct from that of the public stock and Borough Fund ; BE it Enacted, That in every Borough in which the Body Corporate or any one or more of the members of such Body Corporate in his or their corporate capacity, now stands or stand solely, or together with any person or persons elected solely by such Body Corporate, or solely by any particular member, class, or description of members of such Body Corporate seised or possessed for any estate or interest whatsoever of any hereditaments, or any sums of money, chattels, securities for money, or any other personal estate whatsoever, in whole or in part in trust or for the benefit of any charitable uses or trusts whatsoever, all the estate, right, interest and title, and all the powers of such Body Corporate, or of such member or members of such Body Corporate in respect of the said uses and trusts shall continue in the persons who at the time of the passing of this Act are such Trustees as aforesaid, notwithstanding that they may have ceased to hold any office by virtue of which before the passing of this Act they were such Trustees, until the First day of May in the year One thousand eight hundred and Thirty-seven, or until Parliament shall otherwise order, and shall immediately thereupon utterly cease and determine: Provided always, That if any vacancy shall be occasioned among the charitable Trustees for any Borough before the said First day of May in the year One thousand eight hundred and Thirty-seven, it shall be lawful for the Lord Chancellor of Ireland or Lords Commissioners for the custody of the Great Seal then for the time being, upon petition in a summary way to appoint another Trustee to supply such vacancy ; and every person so appointed a Trustee as last aforesaid shall be a Trustee until the time at which the person in the room of whom he was chosen would regularly have ceased to be a Trustee, and he shall then cease to be a Trustee: Provided also, That if Parliament shall not otherwise direct, on or before the said First day of May in the year One thousand eight hundred and Thirty-seven, the Lord Chancellor of Ireland or Lords Commissioners of the Great Seal then shall make such orders as he or they shall see fit for the appointment of a Trustee or Trustees, and the administration of trust estate, subject to such charitable uses or trusts as aforesaid.

And be it Enacted, That the Body Corporate of every Borough shall be Trustees for executing by the Council of such Borough the powers and provisions of all Acts of Parliament made before the passing of this Act, (other than Acts made for securing charitable uses and trusts,) and of all trusts (other than charitable uses and trusts) of which the Body Corporate, or any of the members thereof in their corporate capacity, was or were sole Trustees before the time of the first election of Councillors in such Borough under this Act.

61.
Council to become Visitors and Trustees of all Acts of which Corporators were ex-officio sole Trustees, &c.

62.

Council to
appoint a
limited Num-
ber of Coun-
cillors to be
joint Trus-
tees for
certain pur-
poses.

And be it Enacted, That in every Borough in which the Body Corporate, or a particular or limited number, class or description of members of the Body Corporate, or of persons appointed by the Body Corporate, was or were before the passing of this Act Trustees jointly with other Trustees for the execution of any Act of Parliament, or of any trust, in which the Body Corporate, or any particular or limited number, class or description of members or nominees of the Body Corporate, by any statute, charter, bye-law or custom, was or were before the passing of this Act lawfully appointed to or exercised any powers, duties or functions whatsoever not otherwise herein provided for, and the continuance of which is not inconsistent with the provisions of this Act, the Council of such Borough, on the day named in such Act as last aforesaid, or in the deed or will by which such trust is created for a new election, nomination or appointment of Trustees, or on which such new election, nomination or appointment has usually been made, (and if there shall be no such day named or usually observed, then on the First day of January in every year,) shall appoint the like number of members of the Council or as near as may be to the like number of members of the Council, as there were therefore members or nominees of such Corporate Body who in right of their office were such Trustees or charged with the execution of such powers, duties and functions, in room of the members or nominees of such corporate body ceasing to be Trustees, or ceasing to exercise such powers, duties and functions by virtue of this Act, and in every case of extraordinary vacancy among the Trustees or persons so appointed by the Council shall forthwith appoint one other member of the Council in the room of the person by whom such vacancy has been made, and to hold his trust or office for such time as the person by whom such vacancy has been made would regularly have held it.

63.

Present
Trustees of
certain Acts
continued for
a definite
time.

And be it Enacted, That notwithstanding any thing in this Act contained every member of any Body Corporate who in his corporate capacity, and every nominee of any Body Corporate, or any particular number, class or description of members of such Body Corporate, who at the time of the passing of this Act shall be for a definite number of years or other shorter time a Trustee of such acts or trusts as last aforesaid, shall continue to be such Trustee until the time when he would have ceased to be such Trustee if this Act had not been passed ; and if a Trustee for an indefinite time, or for life, or for so long as he shall be a member, or of a particular class or description of such Body Corporate, then until the First day of January in the year One thousand eight hundred and Thirty-seven, and no longer ; and every member of the Council appointed under the provisions of this Act to be a Trustee of such Acts or Trusts as last aforesaid shall continue to be such Trustee until the time

time herein provided for the new appointment of a member of the Council to be Trustee in his room, notwithstanding that he may have ceased to be a member of the Council ; and in case any particular member or officer of any of the said Bodies Corporate shall have
5 been appointed by any such Act, or by any such trust deed or will as last aforesaid, to perform during a definite number of years or other shorter time any specific powers, duties or functions whatsoever, the person who at the time of the passing of this Act shall be the person designated and qualified to perform the same shall
10 continue to perform the same until the time when he would have ceased to perform the same if this Act had not passed ; and if appointed for an indefinite time or for life, or for so long as he shall be a member or of a particular class or description of such Body Corporate, then until the First day of January in the year One
15 thousand eight hundred and Thirty-seven, and no longer.

AND whereas it may be expedient that the powers now vested in the Trustees or Commissioners appointed under sundry Acts of Parliament for paving or lighting or cleansing, or supplying with water, or improving certain Boroughs, or certain parts thereof, save
20 and except as hereinafter mentioned, should be transferred to and vested in the Councils of such Boroughs respectively ; BE it Enacted, That the Trustees or Commissioners appointed by virtue of any such Act of Parliament as last aforesaid, wherein the Trustees or the persons whose Trustees they may be, are not beneficially interested,
25 may, if it shall seem to them expedient, at a meeting to be called for that purpose, transfer in writing all the powers vested in them as such Trustees by any such Act or Acts of Parliament as aforesaid to the said Body Corporate of such Borough, and the said Body Corporate of such Borough shall thenceforth be Trustees for executing, by the
30 Council of such Borough, the several powers and provisions of any such Act or Acts of Parliament, and the members of the Council shall have the same powers and be subject to the same duties as if their names had been originally inserted in such Act or Acts (or as if they had been elected under the provisions of any such Act or
35 Acts) as such Trustees respectively : Provided always, That nothing herein contained shall extend to enable the Commissioners for paving, cleansing and lighting the Streets of Dublin, or the Commissioners for making wide and convenient Streets in the City of Dublin, or the Corporation for improving the Port and Harbour of Dublin, so to
40 transfer the powers vested in them respectively.

64.
Powers vested in Trustees may be transferred to Councilors.

And be it Enacted, That the Council to be elected for any Borough, the Borough of the City of Dublin only excepted, shall, immediately after their first election, and so from time to time there-

65.
A Watch Committee to consist of the Mayor and Councilmen ; such Committee

to appoint
Constables for
the Borough.

after as they shall deem expedient, appoint for such time as they may think proper, a sufficient number of their own body, who, together with the Mayor of the Borough for the time being, shall be and be called the "Watch Committee" for such Borough; and all the powers hereinafter given to such Committee may be executed by the majority of those who shall be present at any meeting of such Committee; the whole number present at such meeting being not less than Three; and such Watch Committee shall, within Three weeks after their first formation, and so from time to time thereafter as occasion shall require, appoint a sufficient number of fit men, who shall be sworn in before some Justice of the Peace having jurisdiction within the Borough, to act as Constables for preserving the peace by day and by night, and preventing robberies and other felonies, and apprehending offenders against the peace; and the men so sworn shall, not only within such Borough, but also within the County in which such Borough or part thereof shall be situated, and also within every County being within Seven Miles of any part of such Borough, and also within all Liberties in any such County, have all such powers and privileges, and be liable to all such duties and responsibilities, as any Constable duly appointed now has or hereafter may have within his Constablewick, by virtue of the Common Law of this Realm, or of any statutes made or to be made, and shall obey all such lawful commands as they may from time to time receive from any of the Justices of the Peace having jurisdiction within such Borough, or within any County in which they shall be called on to act as Constables, for conducting themselves in the execution of their office.

Constables to
be for the
County, &c.
as well as
Borough.

66.
Watch Com-
mittee to
make Regu-
lations for
the Manage-
ment of the
Constables.

And be it Enacted, That the Watch Committee for any such Borough as aforesaid, may from time to time frame such regulations as they shall deem expedient, for preventing neglect or abuse, and for rendering such Constable efficient in the discharge of their duties; and the said Committee, or any Two Justices of the Peace having jurisdiction within the Borough, may at any time suspend or dismiss any Constable whom they shall think negligent in the discharge of his duty, or otherwise unfit for the same; and when any man shall be so dismissed, or cease to belong to the said Constabulary Force, all powers vested in him as a Constable by virtue of this Act shall immediately cease; and no man so dismissed as aforesaid shall be re-appointed without the consent of Two of the Justices of the Peace having jurisdiction within the Borough.

67.
Power to
Constables to
apprehend
disorderly
Persons, &c.

And be it Enacted, That it shall be lawful for any Constable, during the time of his being on duty, to apprehend all idle and disorderly persons whom he shall find disturbing the public peace, or whom

whom he shall have just cause to suspect of an intention to commit a felony, and to deliver any person so apprehended into the custody of the Constable appointed under this Act, who shall be in attendance at the nearset watchhouse in order that such person may be secured until he can be brought before a Justice of the Peace, to be dealt with according to law, or may give bail for his appearance before a Justice of the Peace, if the Constable shall think fit to take bail, in the manner hereinafter mentioned.

And be it Enacted, That where any person charged with any petty misdemeanor shall be brought without the warrant of a Justice of the Peace into his custody of any Constable appointed under this Act during his attendance in the night-time at any watchhouse within any such Borough as aforesaid, it shall be lawful for such Constable, if he shall think fit, to take bail by recognizance, without any fee or reward, from such person, conditioned that such person shall appear for examination within Two Days before a Justice of the Peace within the Borough, at some time and place to be specified in the recognizance; and every recognizance so taken shall be of equal obligation on the parties entering into the same, and liable to the same proceedings for the estreating thereof, as if the same had been taken before a Justice of the Peace; and the Constable shall enter in a book to be kept for that purpose in every watchhouse, the names, residence and occupation of the party, and his surety or sureties, if any, entering into such recognizance, together with the condition thereof, and the sums respectively acknowledged, and shall lay the same before such Justice as shall be present at the time and place when and where the party is required to appear; and if the party does not appear at the time and place required, the Justice shall declare such recognizance forfeited, and shall issue his warrant, directing the amount thereof to be paid to the Treasurer of said Borough, and in default of payment, directing the person mentioned therein to levy, off the goods and chattels of the person named therein, the amount secured thereby, and the costs of the sale and of such warrant, and the same shall be levied and paid to the Treasurer of said Borough; and the Justice shall, if he shall think fit, be at liberty to enlarge the recognizance to such further time as he shall appoint; and when the matter shall be heard and determined, either by the dismissal of the complaint, or by binding the party over to answer the matter thereof at the Sessions, or otherwise, the recognizance for the appearance of the party before a Justice shall be discharged without fee or reward.

68.

Constables attending at the watchhouse; in the night may take Bail by recognizance from persons brought before them for petty Misdemeanors; such recognizance to be conditioned for the appearance of the parties before a Magistrate.

In default of appearance, recognizance to be forfeited.

Time of hearing may be postponed.

69.

Penalties on Constables for neglect of duty.

And be it Enacted, That if any Constable of any Borough shall be guilty of any neglect of duty, or of any disobedience of any lawful order

order, every such offender, being convicted thereof before any Two Justices of the Peace, shall for every such offence be liable to be imprisoned for any time not exceeding Ten Days, or to be fined in any sum not exceeding Forty Shillings, or to be dismissed from his office, as such Justices shall in their discretion think meet.

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70.
Penalty or
Assaults on
Constables.

And be it Enacted, That if any person shall assault or resist any Constable of any Borough appointed under this Act in the execution of his duty, or shall aid or incite any person so as to assault or resist, every such offender, being convicted thereof before any Two Justices of the Peace, shall for every such offence be liable to be imprisoned for any time not exceeding Two Months, or to be fined such sum, not exceeding Five Pounds, as the said Justices shall think meet: Provided always, That nothing herein contained shall prevent any prosecution by way of indictment against any person so offending, but so as that such person shall not be prosecuted by indictment and also proceeded against under this Act for the same offence.

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Proviso.

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71.
Regulation
and payment
of Expenses.

And be it Enacted, That the Treasurer of every Borough shall pay to the Constables of every such Borough appointed under this Act such salaries, wages and allowances, and at such periods, as the Watch Committee for such Borough shall, subject to the approbation of the Council, direct, and the Council shall order to be paid also any extraordinary expenses which such persons shall appear to have necessarily incurred in apprehending offenders and executing the orders of any Justice of the Peace having jurisdiction within such Borough, such expenses having been first examined and approved of by such Justice; and the said Treasurer shall also pay such further sums as the Watch Committee shall, subject to the approbation of the Council, award to any of the persons belonging to the said Constabulary Force as a reward for extraordinary diligence or exertion, or as a compensation for wounds or severe injuries received in the performance of their duty, or as an allowance to such of them as shall be disabled by bodily injury received, or shall be worn out by length of service, and all other charges and expenses which the Watch Committee shall, subject to the approbation of the Council, direct to be paid for the purposes of the Constabulary Force under this Act.

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Rewards for
activity, &c.

72.
Magistrates
to appoint
annually a
certain
number of
persons to act
as Special
Constables in
case of need.

And be it Enacted, That any Two or more of the Justices of the Peace having jurisdiction within any Borough are hereby authorized and required, in the month of January in every year, to nominate and appoint by precept in writing under their hands so many as they shall think fit of the inhabitants of such Borough (not legally exempt for serving the office of Constable) to act as Special Constables within

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within such Borough, whensoever they shall be required by the warrant of any of the Justices of the Peace having jurisdiction within such Borough so to act, and not otherwise; and every such warrant shall recite that, in the opinion of the Justice granting the same, the ordinary Police Force of the Borough is insufficient at that time to maintain the peace of the Borough; and every person so appointed a Special Constable shall take the oath set forth in the Act passed in the second and third years of the reign of His present Majesty, intituled, "An Act for amending the Laws in Ireland 2 & 3 W. 4, c. 108.

relative to the appointment of Special Constables, and for the better Preservation of the Peace," and shall have the powers and immunities and be liable to the duties and penalties enacted by the said last-mentioned Act; and every person so appointed a Special Constable shall receive out of the Borough Fund for every day during which he shall be called out to act as such the sum of Three Shillings and Sixpence, and no more.

Payment of
Special Con-
stables.

And be it Enacted, That as soon as Constables shall have been appointed by the Watch Committee for any Borough, a notice, signed by the Mayor of such Borough, specifying the day on which such Constables shall begin to act, shall be fixed on the door of the Town Hall and every place of public worship within such Borough; and on the day so specified in such notice so much of all Acts named in conjunction with such Borough in the Schedule (E.) to this Act annexed, and of all Acts made before the passing of this Act, as relates to the appointment, regulation, powers and duties, or to the assessment or collection of any rate to provide for the expenses of any Watchmen for any place or places situated within such Borough, shall cease and determine; and all watchhouses and watchboxes in any such place or places, and all arms, accoutrements and other necessities provided at the public expense for any watchmen therein, shall be given up to such persons as shall be named by the said Mayor in such notice, for the use and accommodation of the Constables to be appointed under this Act, and all the property so to be given up shall be deemed to belong to the Body Corporate of such Borough; and in case any person having the charge, control or possession of any watchhouse, watchbox, arms, accoutrements or necessities as aforesaid, shall neglect or refuse to give up the same as hereinbefore required, every such offender, being convicted thereof before any Two Justices of the Peace, shall for every such offence forfeit and pay, over and above the value of the property not given up, such sum not exceeding Five Pounds as the said Justices shall think meet; and where there shall be any building in such place as aforesaid, a part only of which building shall have been heretofore used as a watchhouse, such part shall be given up every day from the

73.
On notice of
appointment
of Constables,
the present
provisions in
Local Act as
to watching,
&c. to cease.

Watchboxes,
Arms, &c. to
be given up
for the use
of the Con-
stables
appointed
under this
Act.

Penalty for
not giving
them up.

hour of Four in the Afternoon until the hour of Nine in the Forenoon, for the use and accommodation of the Constables to be appointed under this Act; and if any person having the charge, control or possession of any such building shall neglect or refuse to give up such part thereof for the purposes aforesaid, or to permit free access thereto or egress therefrom during any portion of the time above prescribed, every such offender, being convicted thereof before any Two Justices of the Peace, shall for every such offence forfeit and pay such sum not exceeding Five Pounds as the said Justices shall think meet: Provided however, That nothing herein contained shall be construed to extend to or to affect the power of any Magistrate or officer of Police appointed or acting under the provisions of an Act passed in the fifty-fourth year of the reign of his late Majesty King GEORGE the Third, intituled, "An Act to provide for the better Execution of the Laws in Ireland, by appointing superintending Magistrates and additional Constables in Counties, in certain cases," or under an Act passed in the third year of the reign of his late Majesty King GEORGE the Fourth, intituled, "An Act for the Appointment of Constables, and to secure the effectual Performance of the Duties of their Office, and for the Appointment of Magistrates in certain cases," or under any Act for the amendment of said recited Acts, or any of them.

54 Geo. 3,
c. 131.

3 Geo. 4,
c. 103.

74.
Proviso as to
Rates in
arrear, and as
to Debts.

Provided always, and be it Enacted, That any Rate or Presentment for defraying the expenses of any Watchmen in any such place or places aforesaid, made previously to the day specified in such notice as aforesaid, shall be levied and collected in the same manner as if this Act had not been passed: Provided also, That nothing herein contained shall prevent the making, levying and collecting of any Rate or Presentment in any such place or places as aforesaid, for the purpose of paying any debt contracted before the passing of this Act, or the interest of any such debt, but that such Rate or Cess shall and may be levied and collected in the same manner as if this Act had not been passed.

75.
Regulations
to be ob-
served by
Watch Com-
mittee.

And be it Enacted, That the Watch Committee of every such Borough shall, on the Tenth day of January, the Tenth day of April, the Tenth day of July, and the Tenth day of October in every year, transmit to the Lord Lieutenant of Ireland a Report of the number of men appointed to act as Watchmen in such Borough, and of the description of arms, accoutrements and clothing, and other necessaries furnished to each man, and of the salaries, wages and allowances payable to such Watchmen, and of the number and situation of all Station Houses in such Borough, and also a copy of all rules, orders and regulations which shall from time to time be made

made by such Watch Committee, or by the Council of such Borough for the regulation and guidance of such Watchmen.

AND whereas parts of certain Boroughs are within the provisions of one or more Local Act or Acts for regulating the lighting thereof, and certain other parts of the same Boroughs are not within the provisions of any local Act for regulating the lighting thereof; and for want of such lighting the efficiency of the Watchmen may be much diminished, and great facilities afforded for the commission of crimes and for the escape of the offenders; FOR Remedy thereof, Be it Enacted, That it shall be lawful for the Council of any Borough in any part of which there is a Local Act for the lighting thereof to make an order that any part of such Borough, not being within the provisions of any Local Act for the lighting thereof, shall, from and after a certain day to be named in such order, be taken to be within the provisions of such Local Act or Acts for lighting any part of such Borough as the Council shall specify in such order; and after such day the part named in such order shall be within the provisions of the Act or Acts so specified, so far as relates to lighting, or to any rates authorized to be levied for the purpose of lighting, as fully as if such part had been originally named in such Act or Acts, any thing in such Act or Acts to the contrary notwithstanding: Provided always, That every part named in such order shall be lighted in the like manner as those parts which before the making of such order were within the provisions of such Local Act, and that the rate to be raised for the purpose of defraying the expenses of lighting any part so named in such order shall not exceed the average expense in the pound of the lighting of the other parts of such Borough.

76.
Power for Council to order parts of Borough not within Local Acts as to lighting to be included in such Act.

Proviso as to Amount of Rate for lighting.

And be it Enacted, That if the Council of any Borough chosen under this Act shall, by public notice to be affixed on the outer door of the Town Hall, or in some public place within the Borough, declare that on a certain day to be named in such notice, not less than Twenty-one Days after the day on which such public notice shall have been given, they will take upon themselves the powers given to the Commissioners under a certain Act made in the ninth year of the reign of his late Majesty, intituled, "An Act to make provision for the Lighting, cleansing and watching of Cities, Towns Corporate and Market Towns in Ireland, in certain cases," so far as relates to the lighting of any part of such Borough which is not within the provisions of any Local Act for lighting the same, the Council of such Borough shall, after the day named in such notice, have the same powers and duties as belong to Commissioners under the said last-recited Act in regard

77.
Council may assume the powers of Commissioners under 9 G. 4, c. 82, for paving, lighting, or cleansing Streets of any Borough;

to lighting, and to levying rates for the purpose of lighting, such part of the Borough, except so far as the same are contrary to or inconsistent with the provisions of this Act.

78.

and (except
in Dublin)
make Esti-
mate and
Valuation of
Property.

Appeal
against such
Estimate.

And be it Enacted, That the Council of every Borough, except the City of Dublin, shall, in every year before the Tenth day of January, cause an estimate and valuation to be made of the like property, and in the same manner as the Commissioners appointed under the said recited Act of the ninth year of the reign of his late Majesty King GEORGE the Fourth were authorized and required to do, which shall have the force and effect for One Year, from the Tenth day of January in every year in which it shall have been made, of any estimate or valuation made under the said Act ; and in case any person shall think that such estimate is erroneous, either as being an excessive estimate of property belonging to him, or an insufficient estimate of property belonging to another, it shall be lawful for such person at any time before the First day of February then next to appeal against such estimate, and he shall, in that case, before that day deliver to the Town Clerk of such Borough a notice signed by him, specifying of which of the said objections to such estimate he complains ; and such appeal shall be heard and determined in every Borough in which there shall be a Recorder under this Act by the Recorder of the Borough at the Sitting of his Court held next after the expiration of Ten Days from the said First day of February ; and when there shall be no such Recorder, it shall be heard and determined by the Assistant Barrister of the County having jurisdiction to hear and determine Suits by Civil Bill for the district in which the property estimated shall be situated at the Sessions held for such district next after the expiration of said Ten Days ; and such Recorder or Barrister shall have power to award to or against the person appealing such costs not exceeding Ten Shillings as he shall think fit, and to issue a decree against the party appealing for any costs awarded against him, which shall have the force of a decree in a Suit by Civil Bill ; and, in case he shall award costs to be paid to him, to make an order on the Treasurer of such Borough to pay the sum out of the Borough Rate, which order the said Treasurer shall obey ; and the determination of such Recorder or Barrister shall be conclusive : Provided however, That no such Recorder or Barrister shall entertain such appeal without proof that such notice as aforesaid was given : And provided also, That he shall not have power to inquire into any objection to such estimate, save the one specified in such notice ; and that if such appeal shall not be prosecuted effectually by the person appealing, the estimate shall be taken to be conclusive, notwithstanding such notice.

And

And be it Enacted, That it shall be lawful for the Council of any Borough to make such bye-laws as to them shall seem meet for the good rule and government of the Borough, and for prevention and suppression of all nuisances as are not already punishable under any Act already in force throughout such Borough, and to appoint by such bye-laws such fines as they shall deem necessary for the prevention and suppression of such offences: Provided, that no fine so to be appointed shall exceed the sum of Five Pounds, and that no such bye-laws shall be made unless at least Two-thirds of the whole number of the Council shall be present: Provided, that no such bye-law shall be of any force until the expiration of Forty Days after the same, or a copy thereof shall have been sent, sealed with the seal of the said Borough, to the Lord Lieutenant, and shall have been affixed on the outer door of the Town Hall, or in some other public place within such Borough; and if at any time within the said period of Forty Days the Lord Lieutenant, with the advice of the Privy Council of Ireland, shall disallow the same bye-law, or any part thereof, such bye-law, or the part thereof disallowed, shall not come into operation: Provided also, That it shall be lawful for the Lord Lieutenant, at any time within the said period of Forty Days, to enlarge the time within which such bye-law, if disallowed, shall not come into force, and no such bye-law shall, in that case, come into force until after the expiration of such enlarged time; and the Town Clerk of every Borough shall, under the directions of the Council thereof, cause all the bye-laws and regulations in force in such Borough from time to time to be printed in a uniform and convenient form, and shall keep copies thereof, publicly affixed in the office of such Town Clerk, and in every public office and court of such Borough of or belonging to or connected with the Corporation thereof, for the free and open inspection of all persons without any fee at all reasonable hours, and shall deliver a copy of such bye-laws and regulations to any person requiring the same on payment of such reasonable price for the same as the Council shall from time to time direct; and if any person shall wilfully and maliciously pull down, destroy or deface any copy of such bye-laws and regulations as shall be so affixed as aforesaid, such person shall, for every such offence, forfeit and pay any sum not exceeding Twenty Shillings: Provided further, That no bye-law to be made by the Council of the Boroughs of Coleraine and Londonderry respectively shall be sent to the Lord Lieutenant until the same shall have been approved of by the Honourable Society of the Governor and Assistants of London of the new plantation in Ulster within the realm of Ireland.

80.
As to breaches
of Bye-laws.

And be it Enacted, That all the provisions hereinafter contained relative to offences against this Act punishable upon summary conviction shall be taken to apply to all offences committed in breach of any bye-law or regulation made by virtue of this Act.

81.
All Corporate
Property and
all Fines to
be received
on account of
the Borough
Fund.

And be it Enacted, That after the election of the Treasurer in any borough, the rents, issues and profits of all hereditaments, estates and tenements, and the interest, dividends and annual proceeds of all monies, dues, chattels and valuable securities belonging or payable to any Body Corporate named in conjunction with the said Borough in the said Schedule (A.), or to any member or officer thereof in his corporate capacity, and every fine or penalty for any offence against this Act (the application of which has not been already provided for) shall be paid to the Treasurer of such Borough; and all the monies which he shall so receive shall be carried by him to the account of a fund to be called "The Borough Fund."

82.
Salaries of
Recorder,
Town Clerk,
Treasurer
and other
Officers, and
Election
Expenses to
be paid out of
such Fund.

And be it Enacted, That the Borough Fund, subject to the payment of any lawful debt due from such Body Corporate to any person which shall have been contracted before the passing of this Act, and unredeemed, or of so much thereof as the Council of such Borough from time to time shall be required or shall deem it expedient to redeem, and to the payment from time to time of the interest of so much thereof as shall remain unredeemed, and saving all rights, interests, claims or demands of all persons or Bodies Corporate in or upon the real or personal estate of any Body Corporate by virtue of any proceedings either at law or in equity which have been already instituted, or which may be hereafter instituted, or by virtue of any mortgage or otherwise, shall be applied towards the payment of the salary of the Mayor and of the Recorder, and of the Police Magistrate hereinafter mentioned, when there is a Recorder or Police Magistrate, and of the respective salaries of the Town Clerk and Treasurer, and of every other officer whom the Council shall appoint, and also toward the payment of the expenses incurred from time to time in preparing and printing burgess rolls and ward lists and notices, and in other matters attending such elections as are herein mentioned, and, in Boroughs which shall have a separate Court of Sessions of the Peace as is hereinafter provided towards the expenses of the prosecution, maintenance and punishment of offenders committed from the Borough for trial at the Sessions of the Peace for such Borough, and towards the expense of maintaining the corporate buildings, and in all Boroughs, save the city of Dublin, towards the paving, cleansing and lighting the streets of said Borough, and towards supplying the inhabitants with water, the payment of the watchmen,

men, maintaining the peace and good order, and of all other municipal expenses which shall be necessarily incurred in carrying into effect the provisions of this Act; and in case the Borough Fund shall be more than sufficient for the purposes aforesaid, the surplus thereof shall be applied, under the direction of the Council, for the public benefit of the inhabitants and improvement of the Borough.

Provided always, and be it Enacted, That it shall not be lawful for the Council to be elected under the provisions of this Act in any Borough in which the Body Corporate, named in conjunction with the said Borough in the said Schedule (A.), before the time of the passing of this Act, shall have contracted any lawful debt, chargeable on any tolls or dues belonging or payable to the said Body Corporate, or to any member or officer thereof in his corporate capacity, or towards the satisfaction whereof such tolls or dues, or any part thereof, were applicable before the passing of this Act, to alter or reduce the amount to be levied and payable of such tolls or dues, or to grant for any consideration any remission of or exemption from such tolls or dues, or any part thereof, unless with the consent in writing under the hands of a majority in number and amount of the creditors to whom such debt is due, until after such debt and all arrears of interest due thereon shall have been fully paid and satisfied.

And be it Enacted, That in case the Borough Fund shall not be sufficient for the purposes aforesaid, or in case there shall be no Borough Fund, the Council of the Borough is hereby authorized and required from time to time to estimate, as correctly as may be, what amount in addition to such fund, or when there shall be no such fund, will be sufficient for the payment of the expenses to be incurred in carrying into effect the provisions of this Act; and in order to raise the amount so estimated, the said Council is hereby authorized and required from time to time to order a Borough rate to be made within their Borough, and for that purpose the Council of such Borough shall have within their Borough all the powers and authorities which any Commissioners in any Borough in Ireland have within the limits of their commission by virtue of the said last-recited Act of the ninth year of the reign of his late Majesty, and shall observe and preserve the provisions thereof as if the same were herein recited, or as near thereto as the nature of the case will admit, except as is hereinafter excepted; and all such sums levied in pursuance of such Borough rate shall be paid over to the account of the Borough Fund; provided however, that if there shall be any surplus of any such rate in any year it shall be applied in some succeeding year to some purpose for which a

83.
Tolls or Dues payable before the passing of this Act not to be altered or reduced until payment of the Debt chargeable thereon.

84.
Council authorized to raise Funds for payment of Expenses incurred in carrying this Act into execution.

Borough Rate may be made, and not to the general purposes to which the surplus of the Borough Fund may be applied as aforesaid.

85.
Council
authorized to
levy a Watch
Rate.

Provided always, and be it Enacted, That in every case in which before the passing of this Act any rate might be levied in any Borough, save the city of Dublin, for the purpose of watching solely by day or by night, or for the purpose of watching by day or by night conjointly with any other purpose, it shall be lawful for the Council of such Borough to levy a watch rate sufficient to raise any sum not greater than the average yearly sum which, during the last Seven Years, or where such rate shall not have been levied during Seven Years, then during such less number of years as such rate shall have been levied shall have been expended in the maintenance and establishment of watchmen within the district in which such rate was levied, and for that purpose the Council shall have all the powers hereinbefore given to the Council in the matter of the Borough Rate, and all such powers as were at the time of the passing of this Act vested in any person or persons for imposing or levying any such rate; and where any part of any Borough shall not at the time of the passing of this Act be within the provisions of the Act authorizing the levy of such rate for watching as aforesaid, it shall be lawful for the Council from time to time to order that such part, or so much thereof as to the Council shall seem fit, shall be rated to the watch rate in like manner as other parts of the Borough to be specified in such order, and such watch rate thereupon shall be levied within the part mentioned in such order in like manner as in the other parts of the Borough so specified, and all such sums levied in pursuance of such watch rate shall be paid over to the account of the Borough Fund: Provided always, That no such order as last aforesaid shall be made for rating to such watch rate any part of any Borough in which at the time of passing this Act such rate as aforesaid shall not be levied, and which is more than Two hundred yards distant from any street or continuous line of houses which shall be regularly watched within the Borough under the provisions of this Act.

86.
Act not to
render Cor-
porate Pro-
perty liable
for Debts not
chargeable
thereon, nor
to authorize
the levy of
new Rates for
payment of
Debts.

And be it Enacted, That nothing in this Act contained shall be construed to render liable to the payment of any debt contracted before the passing of this Act by any Body Corporate any part of the real or personal estate of the said Body Corporate which before the passing of this Act was not liable thereto, or to authorize the levy of any rate within any part of any Borough for the purpose of paying any debt contracted before the passing of this Act which before the passing of this Act could not lawfully be levied therein towards the payment of the same.

And

87.
Accounts of
Receipts and
Disburse-
ments to be
kept, audited,
and pub-
lished.

And be it Enacted, That the Treasurer of every Borough shall, in books to be kept for that purpose, enter true accounts of all sums of money by him received and paid on account of the purposes of this Act, and of the several matters for which such sums shall have been
5 paid; and the books containing such accounts shall, at all reasonable times, be open to the inspection of any of the Aldermen or Councillors of such Borough; and all the accounts, with all such vouchers and papers relating thereto, shall in the months of March and September in every year be submitted by the Treasurer of the
10 Borough to the Auditors hereinbefore provided to be elected, and to such member of the Council as the Mayor shall name, on the First day of March in every year, or in case of extraordinary vacancy within Ten Days next after such vacancy for the purpose of being examined and audited, from the First day of September in the year
15 preceding to the First day of March, and from the First day of March to the First day of September in the year in which the said Auditors were elected and named; and if the said accounts shall be found to be correct, the Auditors shall sign the same; and after such accounts shall have been so respectively examined and audited in
20 the month of September in every year, each Treasurer shall make out in writing, and shall cause to be printed a full Abstract of his Accounts for the year, and a copy thereof shall be open to the inspection of all the rate-payers of such Borough, and copies thereof shall be delivered to all rate-payers of such Borough applying for
25 the same on payment of One Shilling for each copy.

88.
Property,
remedy for
misapplica-
tion of.

AND whereas many of the said Municipal Corporations in Ireland have been and now are seised and possessed of divers lands, tenements and hereditaments; and the same have been granted to them, and ought to be vested in them for the public benefit of the said
30 Boroughs respectively; and it is expedient to make further provision than now by law exists for preventing the waste and misapplication of such property, and of all other property which may hereafter be so granted to or acquired by Municipal Corporations for municipal purposes; BE it Enacted, That in any case of waste or
35 misapplication of any such property, or of any breach of trust in respect thereof, or wherever the direction, decree or order of a Court of Equity shall be deemed necessary for the due administration and application of any such property, it shall be lawful for His Majesty's Attorney General for Ireland, or for any Two or more Burgesses of
40 such Borough, to present a Petition to the Court of Chancery or to the Court of Exchequer in Ireland, stating such complaint, and praying such relief as the nature of the case may require; and it shall be lawful for the Lord Chancellor, Lord Keeper, or Lords Commissioners of the Great Seal, or the Master of the Rolls for the time being, and for the Court of Exchequer, and they are hereby

required to hear such petition in a summary way, and to direct all such persons as they shall consider necessary to answer to same, and, if necessary, to issue a commission for the examination of witnesses, and on their depositions or upon affidavits, or such other evidence as shall be produced upon such hearing, to determine the same, and to give such relief and make such order therein and with respect to the costs of such application, and to enforce the same by injunction or otherwise as to him or them shall seem just; and such order shall be final and conclusive, unless the party or parties who shall think himself or themselves aggrieved thereby shall, within Two Years from the time when such order shall have been passed and entered by the proper officer, have preferred an appeal from such decision to the House of Lords, to whom (it is hereby declared and enacted) an appeal shall lie from such order.

89.
Proceedings
not liable to
Stamp Duty.

And be it Enacted, That neither the petitions, nor any proceedings upon the same or relative thereto, nor the copies of any such petition or proceedings, shall be subject or liable to the payment of any stamp duty, charge for Chancery or other Court Fund, or other public charge whatever, save only the actual expense of making a copy when any such copy shall be required from any of such Courts.

90.
Power of
Sale and
Leasing
restrained.

And be it Enacted, That it shall not be lawful for the Council of any Body Corporate to be elected under this Act to sell, mortgage or alienate the lands, tenements and hereditaments of the said Body Corporate, or any part thereof, except in pursuance of some covenant, or contract or agreement bonâ fide made or entered into on or before the Fifth day of June in the year One thousand eight hundred and Thirty-five, by or on behalf of the Body Corporate of any Borough, or of some resolution duly entered in the Corporation Books of such Body Corporate on or before the said Fifth day of June, or to demise or lease, except in pursuance of some covenant, contract or agreement bonâ fide made or entered into on or before the said Fifth day of June, by or on behalf of such Body Corporate, or in pursuance of some resolution duly entered in the Corporation Books of such Body Corporate on or before the said Fifth day of June, except in the cases hereinafter mentioned, any lands, tenements or hereditaments of such Body Corporate, or any part thereof, or to enter into any new contract or agreement, except in the cases hereinafter mentioned, for demising or leasing the said lands, tenements and hereditaments, or any part thereof, for any term exceeding Thirty-one Years from the time when such lease shall be made, or if made in pursuance of a previous agreement, then from the time when such agreement shall have been entered into; and in every lease which the said Council is not hereby restrained from making

making, there shall be reserved and made payable, except in the cases hereinafter mentioned, during the whole of the term thereby granted, such clear yearly rent as to the Council shall appear reasonable, without taking any fine for the same.

5 Provided always, and be it Enacted, That in all cases in which any Body Corporate shall, on the Fifth day of June in the year One thousand eight hundred and Thirty-five, have been bound or engaged by any covenant or agreement, express or implied, or have been
10 sanctioned or warranted by ancient usage, or by custom or practice, to make any renewal of any lease for years, or for life or lives, or for years determinable with any life or lives at any fixed or determinate or known or accustomed period, or after the lapse of any number of years, or on the dropping of any life or lives at a fine
15 certain, or under any special or specific terms or conditions, and also in all cases in which any Body Corporate shall theretofore have ordinarily made renewal of any lease for years, or for life or lives, or for years determinable with any life or lives at any fixed or determinate or known or accustomed period, or after the lapse of any
20 number of years, or upon the dropping of any life or lives, upon the payment of an arbitrary fine, it shall be lawful for the Council of such Borough to renew such lease for such term or number of years, either absolutely or determinable with any life or lives, or for such life or lives, and at such rent, and upon the payment of such
25 fine or premium, either certain or arbitrary, and with or without any covenant for the future renewal thereof, as such Body Corporate could or might have done in case this Act had not been passed: Provided nevertheless, That in every case in which such Council shall deem it expedient to sell and alienate, or to demise and lease,
30 for a longer term than Thirty-one Years, or upon different terms and conditions than those hereinbefore mentioned, any of the said lands, tenements or hereditaments, it shall be lawful for such Council to represent the circumstances of the case to the Lords Commissioners of His Majesty's Treasury; and it shall be lawful for such Council, with the approbation of the said Lords Commissioners, or any Three
35 of them, to sell, alienate and demise any of the lands, tenements and hereditaments of the said Body Corporate, in such manner and on such terms and conditions as shall have been approved by the said Lords Commissioners: Provided always, That notice of the intention
40 of the Council to make such application as aforesaid shall be fixed on the outer door of the town-hall, or in some public or conspicuous place within the Borough, One calendar Month at least before such application; and a copy of the memorial intended to be sent to the said Lords Commissioners shall be kept in the Town Clerk's Office during such calendar month, and shall be freely open to

91.
Provision in
certain cases
of Leasing.

the inspection of every Burgess at all reasonable hours during the same.

92.
Leases of
certain Build-
ings, and of
Ground for
building on,
or for making
Gardens, &c.
may be made
for Seventy-
five Years.

Provided nevertheless, and be it Enacted, That in any of the instances hereinafter mentioned, it shall be lawful for the Council from time to time to demise and lease, or to enter into any contract or agreement for demising and leasing any of the said lands, tenements or hereditaments to any person, body politic, corporate or collegiate, for any term not exceeding Seventy-five Years from the time of making such lease or agreement; (that is to say), of tenements or hereditaments the greater part of the yearly value of which shall at the time of making the lease or agreement, consist of any building or buildings, of land or ground proper for the erection of any houses or other buildings thereupon, with or without gardens, yards, curtilages or other appurtenances to be used therewith; and where the lessee or intended lessee shall covenant or agree to erect a building or buildings thereon of greater yearly value than such land or ground, of land or ground proper for gardens, yards, curtilages or other appurtenances, to be used with any other house or other building erected or to be erected on any such ground, belonging either to such Body Corporate or to any other proprietor, or proper for any other purpose calculated to afford convenience or accommodation to the occupiers of any such house or building.

93.
Collusive
Purchases,
Sales and
Demises of
Corporate
Property
since the
5th June 1835,
for undue
consideration,
may be set
aside.

And be it Enacted, That it shall be lawful for the Council first to be elected in any Borough under the provisions of this Act to call in question all purchases, sales, leases, and demises not made in pursuance of some such bonâ fide covenant, contract, agreement or resolution made and entered into as aforesaid before the said Fifth day of June, and all contracts for the purchase, sale, lease or demise of any lands, tenements and hereditaments, and all divisions and appropriations of the monies, goods and valuable securities, or any part of the real or personal estate, of which on or before the said Fifth day of June the Body Corporate of which they are the Council, whether in their own right or as Trustees for charitable or other purposes, was seised or possessed, which shall have been made or contracted between the said Fifth day of June and the day of the declaration of their election; and for that purpose, if it shall appear to the said Council that there is ground for believing that any such purchase, sale, lease or demise, or such contract or such division or appropriation of the premises, was collusively made for no consideration, or for an inadequate consideration, it shall be lawful for the Council of such Borough, at any time within Six calendar Months next after the first Election of Councillors under this Act shall have been declared in such Borough, upon notice of their intention being first given in the Dublin Gazette, and also affixed

affixed on the outer door of the Town Hall, or in some public place within the Borough, to cause the value of the lands, tenements, hereditaments and premises in question to be inquired of and found by a jury of twelve indifferent men of the county in which, or adjoining to which in the case of all counties of cities and towns corporate, such lands, tenements, hereditaments, or premises do lie; and in order thereto, the said Council is empowered to summon and call before such jury all persons having the custody and possession of any deed or agreement concerning the said lands, tenements, hereditaments and premises made or entered into since the said Fifth day of June, and to cause all such deeds and agreements to be produced before the said jury and examined by them, and to examine upon oath every person who shall be thought necessary to be examined (which oath the Mayor is hereby empowered to administer); and the Council shall, by ordering a view or otherwise, use all lawful means for the information as well of themselves as of the said jury in the premises; and the jury shall find the value of the said lands, tenements, hereditaments and premises, and the consideration which shall have been given, and also that which ought of right to have been given, for the purchase, sale, lease, demise or appropriation thereof, according to the terms of such purchase, sale, lease, demise, contract or appropriation, and taking into account all the circumstances under which the same shall have taken place; and if the jury by their oaths shall find that no consideration, or a consideration less than that which they shall have so found to be the value which ought therefore to have been given, shall have been collusively give nor contracted to be given by the terms of any such purchase, sale, lease, demise, contract or appropriation, the party to such purchase, sale, lease, demise, contract or appropriation shall have his option either to re-convey and and restore the lands, tenements, hereditaments and premises in question, and to abandon the contract to which he shall have been party, upon receipt in each case of the consideration, if any, which he shall have given for the same, or to give therefore in each case such additional consideration, so that the whole consideration given shall be that which ought of right to have been given, so found by the jury as aforesaid; and in every such case as last aforesaid the additional consideration given or to be given shall be indorsed on the original deed or conveyance; and unless he shall so do within One calendar Month next after the finding of the jury, every such purchase, sale, lease, demise, contract and conveyance shall be absolutely void and of none effect as against the said Body Corporate and their successors; and in every case in which any such contract shall have been abandoned as aforesaid, or in which any such purchase, sale, lease, demise, contract or conveyance shall become void and of none effect, under the provisions of this Act, the party who would

otherwise have had the benefit of the same, shall be remitted to his former estate, title and interest (if any) in the premises as if no such contract, purchase, sale, lease or demise had been made or entered into; and for summoning and returning such juries, and for imposing fines on the Sheriff, his deputy, bailiff or agent, and on the persons summoned and returned on the said jury, and on any person required to give evidence, who shall in this behalf contravene the provisions of this Act, the Council of every such Borough shall have all the powers which the Superior Courts of Record in Dublin have; and all the costs of the said jury, and of all witnesses tendered by the said Council to be examined before the said jury, shall in every case be borne by the Council and paid out of the Borough Fund: Provided nevertheless, That it shall be lawful for His Majesty, if He shall think fit, by the advice of His Privy Council, upon petition to Him setting forth the special circumstances under which any purchase, sale, lease, demise, contract or appropriation of any of the said lands, tenements, hereditaments and premises shall have been made since the Fifth day of June, to order that the same shall not be called in question under the provisions of this Act; and in such case as last aforesaid the same shall not be called in question or set aside or affected under the provisions of this Act: Provided always, That in every case in which such petition shall have been presented it shall be lawful for His Majesty, if He shall think fit, to enlarge the time within which (in case His Majesty shall not think fit to make such order as aforesaid) the Council may have power as aforesaid to call in question any purchase, sale, lease, demise, contract or appropriation referred to in such petition: Provided always, That nothing herein contained shall be construed to give or shall give any effect or validity to any sale, demise or other disposition of or any agreement relating to any lands, tenements, hereditaments or other property which at any time belonged to any corporate body, but that the validity of such agreement, sale, demise or other disposition shall be liable to be questioned in any Courts of Law or Equity by the Council of the Borough, or any Burgess or Freeman, or of the person, as fully as if this Act had not been passed.

94.
Councils may
make Bye-
laws on which
the Crown
may appoint
salaried
Justices.

And be it Enacted, That if the Council of any Borough shall think it requisite that a salaried Police Magistrate or Magistrates be appointed within such Borough, such Council is hereby empowered to make a bye-law fixing the amount of the salary which he or they are to receive in that behalf; and such bye-law so made by any Council as aforesaid shall be transmitted to the Lord Lieutenant of Ireland, and the Lord Lieutenant thereupon shall be authorized to appoint so many fit persons as are specified in the said bye-law (being Barristers at Law of not less than Six Years' standing), to be during

during His Majesty's pleasure Police Magistrate or Magistrates and a Justice or Justices of the Peace for such Borough, and to direct that such sum shall be paid quarterly out of the Borough Fund of such Borough as will be sufficient to pay such yearly salary to each of the Justices so assigned as last aforesaid, not exceeding in the whole the salary mentioned in the prayer of such petition, clear of all fees or deductions, as to the Lord Lieutenant shall seem fit; and the Treasurer of such Borough shall thereupon pay to each Justice so assigned as last aforesaid, out of the Borough Fund of such Borough, the salary so directed to be paid, by Four equal quarterly payments, and in the same proportion up to the time of the death of such Justice, or his ceasing to act under such assignment as aforesaid; provided that in every case of vacancy of the office of Police Magistrate in any Borough aforesaid no new appointment of Police Magistrate in such Borough shall be made until the Council shall again make application to the Lord Lieutenant in that behalf, and as in the case of the first appointment of a Police Magistrate in such Borough.

And be it Enacted, That the Council of every Borough to which a separate Commission of the Peace shall be granted under the Provisions of this Act shall be authorized and required to provide and furnish One or more fit and suitable office or offices, to be called "The Police Office" or Offices of the Borough, for the purpose of transacting the business of the Justices of the Borough, and to pay from time to time out of the Borough Fund such sums as may be necessary for providing, upholding and furnishing, and for the necessary expenses of such Police Office or Offices; and the Council of every such Borough shall, in case the Borough Fund shall not be sufficient, or in case there shall be no Borough Fund, have the power of including in and paying out of the Borough Rate of such Borough such sum as shall be required for providing, upholding and furnishing, and for the necessary expenses of such Police Office or Offices; provided that no room in any house licensed as a victualling house or alehouse shall be used for the purpose of any such Police Office.

95.
Council to
provide a
Police Office.

And be it Enacted, That every person assigned to keep the peace within any Borough under the provisions of this Act, or any of them, shall, during the continuance of such assignment, execute the duties of a Justice of the Peace in and for the Borough for which he shall have been so assigned, although he may not have such qualification by estate as is required by law in the case of other persons being Justices of the Peace for a county, provided that such person be not disqualified by law to act as a Justice of the Peace for any other cause or upon any other account than in

96.
Justices need
not be qua-
lified by
Estate.

respect of estate, and although such person may not be a Burgess of the Borough in and for which he shall have been assigned to act as a Justice of the Peace ; and that every summons for the appearance of any person, or warrant to compel such appearance, or warrant for the apprehension of any person charged with any offence, or search warrant issued by any Justice of the Peace acting in and for any Borough in any matter within his jurisdiction, may be respectively served and executed within any County in which the said Borough shall be situated, or within any distance not exceeding Seven Miles from such Borough, and within such limits as aforesaid, shall have the same force and effect as if the same had been originally issued or subsequently indorsed by a Justice of the Peace having jurisdiction in the place where the same shall be served or executed, any law, statute, charter or usage to the contrary notwithstanding ; and every such summons and warrant shall and may be lawfully served or executed within such limits as aforesaid by the Constable to whom the same shall be directed, or by any Constable or other Peace Officer of the County, Borough, Parish or place in which the person named in such summons or warrant may be : Provided always, That nothing herein contained shall extend to enable the Council to be elected for the City of Dublin under this Act to appoint any of the Divisional Justices within the Police District of Dublin Metropolis who may now be appointed by the Assembly of the Corporation of the said City, pursuant to the provisions of an Act made in the fifth year of the reign of his late Majesty King GEORGE the Fourth, intituled, " An Act to amend an Act of the forty-eighth year of the Reign of his late Majesty, for the more effectual Administration of the Office of a Justice of the Peace, and for more effectual Prevention of Felonies, within the District of Dublin Metropolis," but that the appointment of all the Divisional Justices shall be made by the Lord Lieutenant, and it shall not any longer be requisite that any of the said Divisional Justices shall be an Alderman of the City of Dublin, or a Sheriff's Peer or member of the Common Council of the said City : Provided nevertheless, That no such person, by virtue of such assignment, shall act as a Justice of the Peace at any Court of Gaol Delivery or General or Quarter Sessions, or in making or levying any County Rate, or Rate in the nature of a County Rate.

Council of the City of Dublin not to appoint Divisional Justices under the 48 G. 3. c. 140, and 5 G. 4. c. 102.

97.
Justices to appoint a Clerk who shall not be the Town Clerk or of the Council, nor be concerned in the prosecution of Offenders

And be it Enacted, That it shall be lawful for the Justices of every Borough to which a separate Commission of the Peace shall be granted as aforesaid, at their First or any other Meeting, and they are hereby respectively required, to appoint a fit person to be the Clerk to the Justices of such Borough, to be removeable at their pleasure, and so often as there shall be a vacancy in the said

said office of Clerk to the Justices by death, resignation, removal or otherwise: Provided that it shall not be lawful for the said Justices to appoint or continue as such Clerk to the said Justices any Alderman or Councillor of such Borough, or Clerk of the Peace of such Borough, or the partner of such Clerk of the Peace, or any clerk or person in the employ of such Clerk of the Peace: Provided also, That it shall not be lawful for the said Clerk to the Justices, by himself or his partner, to be directly or indirectly interested or employed in the prosecution of any offender committed for trial by the Justices of whom he shall be such clerk as aforesaid, or any of them, at any Court of Gaol Delivery or General or Quarter Sessions; and any person being an Alderman or Councillor or Clerk of the Peace of any Borough, or the partner or clerk or in the employ of such Clerk of the Peace, who shall act as Clerk to the Justices of such Borough, or shall otherwise offend in the premises, shall for every such offence forfeit and pay the sum of One hundred Pounds, one Moiety thereof to the Treasurer of such Borough, to be paid over to the credit and acconut of the Borough Fund of such Borough, and the other Moiety thereof, with full costs of suit, to any person who will sue for the same in any of His Majesty's Courts of Record at Dublin.

committed by
the Borough
Justices.

AND whereas by the said recited Act of the ninth year of the reign of his late Majesty King GEORGE the Fourth it is, amongst other things, enacted, that upon the application of Twenty-one or more Household-ers residing in any City, Town Corporate, Borough, Market Town, or other Town in Ireland, the lighting, watching, cleansing or paving of which is not provided for under any Act of Parliament, each of such householders occupying a dwelling-house or other tenement of the annual value of Twenty Pounds or more, it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland to authorize the carrying of the said Act into execution, and for that purpose to order and direct that a Meeting shall be convened; BE it Enacted, That so much of the said Act as requires, or may be construed to require, that an application shall be made by any number of householders to the Lord Lieutenant or other Chief Governor or Governors in any Borough named in the First Section of the Schedule (C.) to this Act annexed, shall be and the same is hereby repealed, but so as not to affect any Act already done under the provisions of said Act; and that from and after the passing of this Act it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland, without any application from any householder of any of the Towns mentioned in the First Section of the said Schedule (C.), to direct that the said recited Act shall be carried into execution in all or any of the said Towns, and for that purpose to direct that any Two or more Justices of the Peace

98.
Certain parts
of 9 G. 4,
repealed, and
other Provi-
sions in lieu
thereof.

resident within Ten Miles of any such Town shall convene a Meeting for the purpose of carrying the said Act, as altered by this Act, into execution, and shall preside thereat; and such order and direction shall be signified and published in the same manner as an order made under the said recited Act is thereby directed to be signified and published; and at every Meeting so convened the persons who under the provisions of the said Act would be entitled to vote at a Meeting convened under the said Act shall be entitled to vote; and it shall not be lawful for the said Meeting to determine that the provisions of the said Act shall not be carried into execution as directed by such order, but the persons so assembled and entitled to vote shall proceed to elect Commissioners, as directed by the said Act, from among the persons qualified according to the provisions of said Act: Provided always, however, That in case a poll shall be demanded, it shall not be continued longer than the hour of Four of the clock in the Afternoon on the Second day of polling, but may be closed before that hour, after the lapse of One Hour without any person having tendered his vote; and the Commissioners elected as aforesaid shall have all the powers, rights and privileges which Commissioners elected under the said recited Act now have, and shall continue in office for the same period, and be bound to perform the same duties, and be liable to the same penalties, as the Commissioners under the said Act are, and new Commissioners to supply their places shall be elected as is provided by the said Act with respect to the Commissioners elected under the provisions thereof.

99.
Commissioners to be Trustees of all Acts of which Corporators were ex officio sole trustees, &c.

Commissioners to appoint a limited number of joint Trustees for certain purposes.

And be it further Enacted, That the Commissioners of every Borough named in Schedule (C.) shall be Trustees for executing the powers and provisions of all Acts of Parliament made before the passing of this Act (other than Acts made for securing charitable uses and trusts), and of all trusts (other than charitable uses and trusts) of which the Body Corporate, or any of the members thereof in their corporate capacity, was or were sole Trustees before the passing of this Act, or before the time of the first election of such Commissioners in such Borough; and in every Borough named in the said Schedule (C.) in which the Body Corporate, or a particular or limited number, class or description of members of the Body Corporate, or of persons appointed by the Body Corporate, was or were before the passing of this Act Trustees jointly with other Trustees for the execution of any Act of Parliament, or of any trust, and in every Borough named in the said Schedule (C.) in which the Body Corporate, or any particular or limited number, class or description of members or nominees of the Body Corporate, by any statute, charter, bye-law or custom, was or were before the passing of this Act lawfully appointed to or exercised any powers, duties or functions whatsoever not otherwise herein provided for, and the continuance

tinuance of which is not inconsistent with the provisions of this Act, the Commissioners elected or to be elected as aforesaid of such Borough, on the day named in such Act as last aforesaid, or in the deed or will by which such trust is created for a new election, nomination or appointment of Trustees, or on which such new election, nomination or appointment has usually been made, (and if there shall be no such day named or usually observed, then on the First day of January in every year), shall appoint the like number of persons, properly qualified, or as near as may be, as there were theretofore members or nominees of such Corporate Body who in right of their office were such Trustees, or charged with the execution of such powers, duties and functions, in room of the members or nominees of such Corporate Body ceasing to be Trustees, or ceasing to exercise such powers, duties and functions by virtue of this Act; and in every case of extraordinary vacancy among the Trustees or persons so appointed, shall forthwith appoint one other person in the room of the person by whom such vacancy has been made, and to hold his trust or office for such time as the person by whom such vacancy has been made would regularly have held it.

And be it Enacted, That, notwithstanding any thing in this Act contained, every member of any Body Corporate who in his corporate capacity, and every nominee of any Body Corporate, or any particular number, class or description of members of such Body Corporate who at the time of the passing of this Act shall be for a definite number of years or other shorter time a Trustee of such acts or trusts as last aforesaid, shall continue to be such Trustee until the time when he would have ceased to be such Trustee if this Act had not been passed; and if a Trustee for an indefinite time, or for life, or for so long as he shall be a member or of a particular class or description of such Body Corporate, then until the First day of January in the year One thousand eight hundred and Thirty-seven, and no longer; and every Commissioner appointed under the provisions of this Act to be a Trustee of such Acts or Trusts as last aforesaid shall continue to be such Trustee until the time herein provided for the new appointment of a Trustee in his room, notwithstanding that he may have ceased to be a Commissioner; and in case any particular member or officer of any of the said Bodies Corporate shall have been appointed by any such Act, or by any such trust deed or will as last aforesaid, to perform during a definite number of years or other shorter time any specific powers, duties or functions whatsoever, the person who at the time of the passing of this Act shall be the person designated and qualified to perform the same shall continue to perform the same until the time when he would have ceased to perform the same if this Act had not passed; and if appointed for an indefinite

100.
Present
Trustees of
certain Acts
continued for
a definite
time.

time, or for life, or for so long as he shall be a member of a particular class or description of such Body Corporate, then until the First day of January in the year One thousand eight hundred and Thirty-seven, and no longer.

101.
Powers vested
in trustees
may be trans-
ferred to
Commis-
sioners.

AND whereas it may be expedient that the powers now vested in the Trustees or Commissioners appointed under sundry Acts of Parliament for paving or lighting or cleansing, or supplying with water or improving certain Boroughs named in the said Schedule (C.), or certain parts thereof, save and except as herein-after mentioned, should be transferred to and vested in the Commissioners elected or to be elected as aforesaid in such Boroughs respectively; BE it Enacted, That the Trustees or Commissioners appointed by virtue of any such Act of Parliament as last aforesaid, wherein the Trustees, or the persons whose Trustees they may be, are not beneficially interested, may, if it shall seem to them expedient, at a meeting to be called for that purpose, transfer in writing all the powers vested in them as such Trustees by any such Act or Acts of Parliament as aforesaid to the said Commissioners of such Borough, and the said Commissioners of such Borough shall thenceforth be Trustees for executing the several powers and provisions of any such Act or Acts of Parliament, and shall have the same powers and be subject to the same duties as if their names had been originally inserted in such Act or Acts (or as if they had been elected under the provisions of any such Act or Acts) as such Trustees respectively.

102.
Property of
the Corpora-
tions vested
in the Com-
missioners.

And be it further Enacted, That on the first election of Commissioners under the said recited Act and this Act, in any of the Towns mentioned in the said Schedule (C.) in which Commissioners have not been elected and are now acting under the said Act, all the manors, advowsons, messuages, town halls, public and other buildings, lands, rents, hereditaments, leasehold estates, goods, chattels, money, debts, stocks, funds, securities, personal estate and effects, and all other property whatsoever and wheresoever, and of what nature or kind soever, of or to which any Body Corporate named in the said Schedule (A.) to this Act annexed, or any one or more of the members of such Body Corporate in his or their corporate capacity, is or are or shall be seised or possessed or entitled for any estate or interest whatsoever (except property held in trust for any charitable uses or trusts), and all the estate, right, title and interest of such Bodies Corporate, member or members, shall be and the same are hereby vested in the Commissioners to be appointed by virtue of this Act, subject to such mortgages, charges, debts and incumbrances, rents, contracts, covenants and conditions as the same respectively shall then be subject or liable to and in each of the said Towns:

And

And be it further Enacted, That every person and Body Corporate who shall owe any sum of money to any of the said Bodies Corporate named in the said Schedules shall pay the same, together with all interest (if any) due or to accrue due for the same to the
 5 Council or Commissioners to be elected by virtue of this Act, or their Treasurer; and all rents and sums of money which shall be due and payable, or accruing due and payable, to any of the said Bodies Corporate shall become and be due and payable to the said Council or Commissioners, and shall and may be collected and
 10 recovered by the like ways and means, and with the same penalties in respect thereof, and in like manner, as the Bodies Corporate to whom the same respectively shall be due or payable might have collected and recovered the same respectively if this Act had not been passed; and all conveyances, contracts, agreements, bonds,
 15 covenants and securities made or entered into with or in favour of any of the said Bodies Corporate shall be good, valid and effectual in favour of the said Commissioners, and may be enforced in the same manner to all intents and purposes as any of the said Council or Bodies Corporate might have enforced the same if this Act had
 20 not been made.

103.
 Debts and Contracts of Corporations may be enforced by the Commissioners.

And be it further Enacted, That every person and Body Corporate who shall claim to be entitled, or would thereafter, if this Act had not been passed, have become entitled to any sum of money owing from or payable by any of the said Bodies Corporate named
 25 in the said Schedules, or shall claim any part of the property of any such Body Corporate, in respect of any mortgage, charge, conveyance, contract, agreement, bond, covenant or security which shall have been made or entered into with or in favour of him or them, by any of the said Bodies Corporate, shall and may recover
 30 or enforce the same as against the property of such Body Corporate respectively by this Act vested in the said Council or Commissioners, by the same actions, suits, remedies or proceedings against the said Council or Commissioners, and in the same manner as he or they respectively might have recovered or enforced the same against such
 35 Body Corporate respectively if this Act had not been made.

104.
 Property vested in the Commissioners to be subject to the claims of Creditors, &c. of the Corporations.

AND whereas it may be expedient that the powers now vested in the Trustees or Commissioners appointed under sundry Acts of Parliament for paving or lighting or cleansing, or supplying with water, or improving certain Boroughs named in the said Schedule (C.), or
 40 certain parts thereof, save and except as hereinafter mentioned, should be transferred to and vested in the Commissioners elected or to be elected as aforesaid in such Boroughs respectively; BE it Enacted, That the Trustees or Commissioners appointed by virtue of any such Act of Parliament as last aforesaid, wherein the Trustees,

105.
 Powers vested in Trustees may be transferred to Commissioners.

or the persons whose Trustees they may be, are not beneficially interested, may, if it shall seem to them expedient, at a meeting to be called for that purpose, transfer in writing all the powers vested in them as such Trustees by any such Act or Acts of Parliament as aforesaid, to the said Commissioners of such Borough, and the said Commissioners of such Borough shall thenceforth be Trustees for executing the several powers and provisions of any such Act or Acts of Parliament, and shall have the same powers, and be subject to the same duties as if their names had been originally inserted in such Act or Acts (or as if they had been elected under the provisions of any such Act or Acts) as such Trustees respectively.

106.

Commissioners to be called "The Commissioners of Corporate Property," and to be a Corporation for the purposes of this Act.

And be it further Enacted, That the Commissioners to be elected as aforesaid, shall and may have full power to purchase and hold lands, tenements and hereditaments for the purposes of this Act, and may sue and be sued in the name of their Clerk for the time being.

107.

Receipts of the Treasurer to be effectual discharges.

And be it further Enacted, That the receipt or receipts of any Treasurer of the said Council or Commissioners, for any purchase-monies, rents or profits, or other sum or sums of money payable unto him by virtue of this Act, shall be a sufficient and effectual discharge, or sufficient and effectual discharges for the money in such receipt or receipts expressed or acknowledged to be received; and the purchaser or purchasers to whom the same respectively shall be given shall not afterwards be answerable or accountable for the misapplication or non-application of the money in such receipt or receipts expressed or acknowledged to be received.

108.

Officers to account, &c. according to the Orders of the Council of Commissioners.

And be it Enacted, That every Treasurer, Town Clerk, or other officer appointed by the Town Council or any Commissioners shall, at such times during the continuance of his office, or within Three calendar Months after the expiration of his office, and in such manner as the said Council or Commissioners shall direct, deliver to the said Council or Commissioners, or to such person as they shall authorize for that purpose, a true account in writing of all matters committed to his charge by virtue of this Act, or under colour of his office, and also of all monies which shall have been by him received by virtue or for the purposes of this Act, or under colour of his office, and how much thereof shall have been paid and disbursed, and for what purposes, together with proper vouchers for such payments, and also a list of the names of all such persons as shall not have paid the monies due from them for the purposes of this Act, and of the amount due from each of them; and every such officer shall pay all such monies as shall remain due from him to the Treasurer

Summary
remedy
against
Officers for
not account-
ing, &c.

surer for the time being, or to such person as the said Council or
 Commissioners shall authorize to receive the same ; and if any such
 officer shall refuse or wilfully neglect to deliver such account, or
 the vouchers relating to such account, or such list as aforesaid, or
 5 to make payment as aforesaid, or shall refuse or wilfully neglect to
 deliver to the said Council or Commissioners, or to such person as
 they shall authorize, within Three Days after being thereunto
 required, by notice in writing under the hands of Two or more of
 the said Council or Commissioners, to be given to or left at the last
 10 place of abode of such officer, all books, papers and writings in
 his custody or power, relating to the execution of this Act, or to
 give satisfaction to the said Council or Commissioners, or to such
 other person as aforesaid, respecting the same, then and in every
 15 such case, upon complaint made on behalf of the said Council or
 Commissioners, by such person as they shall authorize for that pur-
 pose, of any such refusal or wilful neglect as aforesaid, to any Justice
 of the Peace for the County, or other jurisdiction wherein such
 officer so refusing or neglecting shall be or reside, such Justice is
 hereby authorized and required to issue a warrant under his hand
 20 and seal for bringing such officer before any Two Justices of the
 Peace for such County or jurisdiction ; and upon the said officer
 appearing, or not being found, it shall be lawful for such Justices to
 hear and determine the matter in a summary way ; and if it shall
 appear to such Justices that any monies remain due from such
 25 officer, such Justices may and they are hereby authorized and
 required, upon nonpayment thereof, by warrant under their hands
 and seals, to cause such monies to be levied by distress and sale of
 the goods of such officer ; and if sufficient goods shall not be found
 to satisfy the said monies, and the charges of the distress, or if it
 30 shall appear to such Justices that such officer has refused or wilfully
 neglected to deliver such account, or the vouchers relating thereto,
 or such list as aforesaid, or that any books, papers or writings
 relating to the execution of this Act remain in the hands or in the
 custody or power of such officer, and that he has refused or wilfully
 35 neglected to deliver the same, or to give satisfaction respecting the
 same as aforesaid, then and in every such case such Justices shall
 and they are hereby required to commit such offender to the Com-
 mon Gaol or House of Correction for the County or jurisdiction
 where such offender shall be or reside, there to remain without bail
 40 until he shall have paid such monies as aforesaid, or shall have com-
 pounded with the Council or Commissioners for such monies, and
 shall have paid such composition in such manner as they shall ap-
 point (which composition the said Council or Commissioners are
 hereby empowered to make and receive), or until he shall have
 delivered a true account as aforesaid, together with such vouchers
 and list as aforesaid, or until he shall have delivered up such books,

papers and writings, or have given satisfaction in respect thereof, to the said Council or Commissioners, or to such other person as
 Proviso. aforesaid, as the case may be: Provided always, That no person so
 committed shall be detained in prison for want of sufficient distress
 only, for a longer space of time than Three calendar Months: Pro- 5
 Remedy by provided also, That nothing in this Act contained shall prevent or
 Action. abridge any remedy by action against any such officer so offending
 as aforesaid, or against any surety for any such officer, but such
 officer shall not be sued by action and also proceeded against in a
 summary manner by virtue of this Act for the same cause. 10

109.
 Commis- And be it further Enacted, That the said Council or Commis-
 sioners to sioners shall, with all convenient speed, ascertain and collect all the
 ascertain and collect the real and personal property belonging to every of the said Bodies
 Property and Corporate named in the said Schedules to this Act annexed, and
 Revenues of which shall become vested in the said Council or Commissioners 15
 Corporations. by virtue of this Act, and shall ascertain the revenue and income
 produced thereby, and all the charges and incumbrance upon and
 the out-goings and debts payable in respect of the same.

110.
 Commis- And be it further Enacted, That it shall be lawful for the said
 sioners em- Council or Commissioners to commence and prosecute any actions, 20
 powered to suits or proceedings for collecting and recovering the property of
 bring and de- the said Bodies Corporate respectively, and to discontinue or com-
 fend Actions promise any such action, suit or proceedings, and to allow any time
 and compro- which they may think proper for payment of any money due and
 mise and owing to them in respect thereof, and also to pay any debt or sum 25
 settle of money claimed to be due from any of the said Bodies Corporate,
 Accounts. and to be payable out of such property upon any evidence which
 they may think proper to admit, and to defend or compromise any
 action, suit or other proceeding which may be brought against them
 by virtue of this Act, and to adjust and settle any account or 30
 accounts depending between any of the said Bodies Corporate and
 any person or persons or other Body Corporate or Bodies Corporate,
 and submit to arbitration any difference between any such Body
 Corporate, or the said Council or Commissioners, and any other
 person or persons, relating to the property of the said Bodies Cor- 35
 porate or any of them, and abide by and perform the award of any
 arbitrator or arbitrators respecting the same, and to do, perform
 and execute all such deeds and things as they the said Council or
 Commissioners shall think expedient for ascertaining and collecting
 in the most advantageous manner the property and settling all claims 40
 and demands relating thereto.

111.
 Commis- And be it further Enacted, That the said Commissioners shall
 sioners to cause an account to be kept of the property belonging to every of
 keep a sepa- the

the said Bodies Corporate named in the said Schedule (C.) to this Act annexed, and vested in the said Commissioners by virtue of this Act, and of all rents, profits, revenue, income and sums of money to be received in respect thereof or produced therefrom, and of the application and appropriation thereof, and the property comprised in every such account shall be called the Town Fund of the Town in which the Body Corporate to which it belonged has been constituted; and all sums of money received by the Treasurer of the said Commissioners in respect of the property comprised in every such account shall, when the same shall not be directed by the said Commissioners to be immediately applied to any other purpose, be paid into the Bank of Ireland in the name of the Treasurer of the said Commissioners, to an account called the Account of the Town Fund of the Town of which the same shall form part.

rate Account of the property of every Corporation, which shall be called the Town Fund of the Town.

15 And be it further Enacted, That in every case in which a Body Corporate, or any particular class, number or description of members, or the governing Body of any Body Corporate, now is or are in their corporate capacity, and not as charitable Trustees, according to the meaning and provisions of this Act, seised or possessed of any manors, lands, tenements or hereditaments whereunto any advowson or right of nomination or presentation to any Benefice or Ecclesiastical Preferment is appendant or appurtenant, or of any advowson in gross, or hath or have any right or title to nominate or present to any Benefice or Ecclesiastical Preferment, the said Commissioners or Council, as the case shall be, shall cause every such advowson and every such right of nomination and presentation to be sold at such time and in such manner as the Ecclesiastical Commissioners for Ireland may direct, so that the best price may be obtained for the same; and the said Council or Commissioners to be elected by virtue of this Act, or elected as aforesaid, are hereby authorized and required, with the consent of the said Ecclesiastical Commissioners, or any Three or more of them, in writing under their hands, to convey and assure such advowson or such right of nomination or presentation as aforesaid to the purchaser or purchasers thereof respectively, his or their heirs, executors, administrators and assigns, or to such uses as he or they shall direct; and the proceeds of every such sale shall be paid to the Treasurer of the said Council or Commissioners, and shall form part of the Borough or Town Fund of the Town: Provided always, That in any case of vacancy arising before any such sale shall have taken place and been completed, such vacancy shall be supplied by the presentation or nomination of the Bishop or Ordinary of the diocese in which such Benefice or Ecclesiastical Preferment is situated.

112.
Sale of Advowsons, &c.

113.
Warden and
Vicars Choral
of Galway to
be continued
during their
Lives.

Provided always, and be it further Enacted, That the present Wardens of the Royal College or Collegiate Church of Galway shall continue to be such Warden, in the same manner as if the Body Corporate called "The Mayor, Bailiff, Burgesses and Commonalty of the Town of Galway" continued in force and elected such Warden once in every year in such manner as such election is now required to be made, during his life, or until he shall resign or be legally removed from such Wardenship; and that the Body Corporate called "The Warden and Vicars Choral of the College or Collegiate Church of Galway" shall continue in force unless and until the same shall be dissolved; and the Vicars Choral of the said College or Collegiate Church shall respectively continue to be such Vicars Choral during their respective lives, or until they respectively shall die, or shall resign or be removed from such Benefices respectively, or the said College shall be dissolved; and that any resignation made by the said present Warden and Vicars Choral, or any of them, of their respective Benefices, to the Archbishop of Tuam for the time being, shall be valid and effectual; and in case of the dissolution of the said College or Collegiate Church all the ecclesiastical jurisdiction and powers belonging thereto, or to the Warden thereof, shall be and are hereby vested in the Archbishop of Tuam for the time being.

114.
Council or
Commission-
ers to pay
Debts due
from Corpo-
rations.

And be it further Enacted, That the said Council or Commissioners shall with all convenient speed pay or make due provision for payment, out of the Borough or Town Fund of any Town, of the outgoings, rates and charges payable in respect of the property therein comprised, and of all charges and incumbrances payable thereout, and of all debts, annuities, pensions, allowances and sums of money payable by the Body Corporate to whom the property comprised in such Town Fund shall have belonged.

115.
Council or
Commission-
ers may lease
and manage
Revenues.

And be it further Enacted, That it shall be lawful for the said Council or Commissioners from time to time to cause any repairs to be made to any buildings or premises which they may think expedient, and to insure any buildings from loss or damage by fire, and pay the expenses of such repairs and insurances out of the said Town or Borough Fund, and also cause to be invested in their names, or in the name of their Treasurer, any monies forming part of any such fund in any stocks, funds or securities, and alter and vary such stocks, funds and securities as they shall think proper, and in all other respects manage the property comprised in every or any such fund, and invest or dispose of the same and all revenues thereof in such manner as they shall think most advantageous, and may sell and alienate or demise and lease the property comprised in such fund, in the same manner and with the same approbation, and subject

subject to the same conditions as the Council of any Borough named in the said Schedules (A.) and (B.)

And be it further Enacted, That in the meantime and until Parliament shall otherwise provide, the said Commissioners to be appointed by virtue of this Act shall, subject to the payment of any debt payable out of any Town Fund, or such part thereof as such Commissioners shall from time to time be required or deem it expedient to pay, and the interest thereof, or of so much thereof as shall for the time being remain unpaid, and all other charges and expenses to be paid thereout, as hereinbefore is mentioned, pay and apply the surplus income or revenue of every or any such Town Fund, in every Town where there was at the time of passing this Act any Court of Conscience, in or towards the payment of the salary of the Judge of the Court of Conscience, and the salaries of officers and other expenses of such Court, or such of them as ought to be paid thereout; and the residue thereof (if any), or where there shall be no such Court of Conscience, salaries or other expenses, the whole of such surplus income and revenue, shall be applied by the Commissioners in aid or diminution of the rates to be received by them under the provisions of the said Act of the ninth year of the reign of his late Majesty; and in case the surplus income of the Town Fund of any Town shall be more than sufficient for the purposes aforesaid, the residue thereof shall be applied by the said Commissioners for the public benefit of the inhabitants of such Town respectively.

And be it further Enacted, That the said Council and Commissioners shall with all convenient speed, and within Two Years next after the passing of this Act, make a report or reports in writing to the said Lord Lieutenant, and thereby state the nature and amount of the property belonging to every of the said Bodies Corporate named in the said Schedules to this Act annexed, and also the particulars and amount of the incumbrances and debts and outgoings charged upon and payable out of the same, and the means by which such incumbrances and debts can be paid or satisfied in the most advantageous manner, and also any leases which they shall have made or shall think proper to make, and the manner in which any monies produced therefrom, or received from the revenue or income thereof, shall have been or shall be proposed to be expended or applied, and also the probable amount of the value and income thereof, after all the incumbrances and debts payable thereout shall have been discharged or satisfied.

And be it further Enacted, That the said Council or Commissioners, with the consent of the said Lord Lieutenant (testified by some writing under his hand), shall, out of the monies forming

116.
Salaries of Recorder, Treasurer and other Officers, and Election Expenses to be paid out of such Fund.

117.
Council and Commissioners to make Reports to the Lord Lieutenant.

118.
Council or Commissioners may purchase out- standing Charges, Leases, &c.

Council or
Commissioners may
abolish Tolls

part of any Borough or Town Fund, purchase such annuities, leases or other interests charged upon or existing in any property forming part of such fund as they shall think it advantageous to purchase ; and that the said Council or Commissioners shall and they are hereby empowered, with the consent of the Lord Lieutenant to be signified by some writing under his hand, to reduce or abolish any tolls forming part of any fund, after full payment or satisfaction of all debts and charges upon the said tolls, or to which they may be liable, which it may be thought desirable to reduce or abolish, and also to purchase any tolls which it may be thought desirable to purchase in order that the same may be abolished or reduced, and after the conveyance thereof to them to reduce or abolish the same ; and the said Council or Commissioners shall cause notice to be given of the reduction or abolition of all such tolls by advertisement in the Dublin Gazette, and also in one or more newspaper or newspapers usually circulated in the town in which such tolls respectively shall be payable.

119.
Commis-
sioners may
appropriate
public Build-
ings to public
purposes for
the benefit of
the Towns.

And be it further Enacted, That it shall be lawful for the said Council or Commissioners, with the consent of the said Lord Lieutenant (testified by some writing under his hand), to appropriate and settle any town hall, police office, or other public building in any town forming part of the Borough or Town Fund of such town respectively, for the purposes of a court for the holding of quarter sessions, or a court of record for civil actions, or a court of conscience or police station.

120.
Commis-
sioners may
remove
Officers,

And be it Enacted, That it shall be lawful for the said Commissioners, Town Clerk, Bailiff, Treasurer, or Chamberlain, or other ministerial or executive officer of any Borough and Body Corporate named in the said Schedule (C.) to this Act annexed, and every such person or officer, who shall be in possession or receipt of any monies, goods, valuable securities, books or papers belonging to or concerning the Body Corporate, whose officer he is, shall deliver up and account for the same to the Commissioners elected or to be elected as aforesaid ; and in case he shall refuse or wilfully neglect to deliver such accounts, vouchers and lists, or to make such payments, or to deliver such books, papers and writings, or to give satisfaction respecting the same, as is hereinbefore provided in the case of officers appointed by such Commissioners, every such person or officer may be proceeded against, and shall be subject and liable to the several provisions hereinbefore contained in cases of officers appointed by such Commissioners.

121.
Officers to
receive Com-
pensation on
removal.

And be it Enacted, That the said Commissioners shall take into consideration and determine upon the amount and nature of compensation

5 pensation which they shall think ought to be given to any officer
 of any Body Corporate whose office shall be abolished, or who shall
 be removed from his office; and as soon as they shall have deter-
 mined upon the amount or nature of the compensation to be given
 10 in any such case, they shall cause notice in writing to be given to
 such officer, and in case the claim of such officer shall be admitted
 in part and disallowed in part, such notice shall specify the parti-
 culars in which the same shall have been admitted and disallowed
 respectively; and in case the officer or person preferring such claim
 15 shall think himself aggrieved by the determination of the Commis-
 sioners thereon, it shall be lawful for the officer or person preferring
 such claim to appeal to the Lords Commissioners of His Majesty's
 Treasury, who shall thereupon make such order as to them shall
 seem just; and such order, signed by Three or more of such Lords
 20 Commissioners shall be binding on all parties: Provided also, That
 the officer or person preferring such claim, if any Commissioners
 shall so require, upon receiving notice in writing, shall from time
 to time attend at any meeting or adjourned meeting of the Com-
 missioners for the investigation of such claim, and then and there,
 25 upon his oath or solemn affirmation, or his declaration, to be taken
 or made before the said Commissioners (any one of whom is hereby
 authorized to administer the same), shall answer all such questions
 as shall be asked by any Commissioner touching the matters set
 forth in the statement subscribed by such person as aforesaid, and
 30 produce all books, papers and writings in his possession, custody or
 power relating thereto: Provided also, That every such officer who
 shall be continued in or re-appointed to such office under the provisions
 of this Act, and who shall be subsequently removed from such office
 for any cause other than such misconduct as would warrant removal
 35 from any office held during good behaviour, shall be entitled to
 compensation in like manner as if he had been forthwith removed
 under the provisions of this Act, and had not been continued in or
 re-appointed to such office.

And be it Enacted, That the amount of the sum or annuity
 35 payable to any person as such compensation as aforesaid, if not
 forthwith paid, shall be secured to such person by a certificate or
 certificates in writing signed by the Chairman of the Commissioners,
 stating that the Town Fund of the town in which such person shall
 be or have been in office is liable to the payment to such person, his
 40 executors or administrators or assigns, of the amount of such sum,
 with interest, and all arrears thereof (if any) accrued due before the
 date of such certificate respectively; and every such certificate shall
 be prepared and executed at the expense of the Town Fund, and
 delivered to the person entitled to such compensation as soon as
 conveniently may be after the amount thereof shall have been deter-

122.
 Compensa-
 tion to be
 secured by
 Certificate.

mined as aforesaid by the said Commissioners, or shall have been determined in the event of such appeal as aforesaid, by order of the said Lords Commissioners.

123.
Certificates
to be given
to persons
entitled to
Pensions, &c

And be it Enacted, That when any person shall be entitled to any pension, allowance, stipend or sum of money payable out of any Town Fund which shall be sufficient for payment thereof, the said Commissioners shall give a certificate as aforesaid to such person that such Town Fund is liable to the payment to such person, his executors and administrators, of such pension, allowance, stipend or sum of money, with all arrears thereof, if any, accrued due before the date of such certificate; and such certificate shall be prepared and executed at the expense of the Town Fund.

124.
Accounts of
receipts and
disburse-
ments to be
kept, audited
and pub-
lished.

And be it further Enacted, That the Commissioners to be elected by virtue of this Act shall, in books to be kept for that purpose, enter true accounts of all sums of money received and paid on account of every or any such Town Fund respectively, and in the month of January in every year the said Commissioners shall cause to be made out in writing, and to be printed, a full abstract of the accounts relating to every such Town Fund respectively for the year, and a copy thereof shall be deposited with such person resident in such town as the Commissioners shall appoint, and shall be open to the inspection of all the inhabitants of such town, and copies thereof shall be delivered to all inhabitants of such town applying for the same, on payment of One Shilling for each copy.

125.
Proceedings
of Commis-
sioners to be
recorded, and
submitted to
Lord Lieu-
tenant.

And be it further Enacted, That the Commissioners to be elected by virtue of this Act shall cause all their proceedings to be entered in writing in a book or books, which shall be submitted to the Lord Lieutenant as often as he shall require the same.

126.
Commis-
sioners to
report Pro-
ceedings to
Lord Lieu-
tenant when
required.

And be it further Enacted, That the said Commissioners to be elected by virtue of this Act shall from time to time, at such times as the said Lord Lieutenant shall direct, give to the said Lord Lieutenant requiring the same, such information respecting their proceedings or any part thereof as the said Lord Lieutenant shall require.

127.
Sheriffs of
City and
County of
Londonderry
to continue
until new
Sheriff is
appointed.

And be it Enacted, That the persons who at present fill the office of Sheriffs of the City and County of Londonderry, or the survivor of them, shall be and remain the Sheriffs or Sheriff of the said City and County of Londonderry, and shall fulfil and execute the duties of the said office until the Sheriff of the said City and County to be appointed as hereinafter is mentioned shall come into office, and no longer.

And

And be it Enacted, That in the Counties of the Cities of Cork, Dublin, Kilkenny, Limerick and Waterford, and in the Counties of the Towns of Carrickfergus, Drogheda and Galway, the Lord Lieutenant shall, before the Twenty-ninth day of September in this year, appoint a fit person to execute the office of Sheriff, with the like duties and powers as the Sheriffs or the persons filling the office of Sheriff in the said Cities and Counties respectively would have had if this Act had not passed, who shall continue in his office unless removed by the Lord Lieutenant; and in case a vacancy shall be occasioned in the office of Sheriff of such Borough during such period, by the death of the person who shall have been appointed to such office, or his removal, the Lord Lieutenant shall appoint another fit person to be the Sheriff instead of the person so dying or removed, who shall hold such office for the period during which the person so dying would have held it, unless removed as aforesaid, and so from time to time as occasion may require; and every person who at the time of the passing of this Act shall hold the office or execute the duties of Sheriff in the said Counties of Cities and Towns respectively shall continue to hold and execute the same until the first appointment of a Sheriff therein under the provisions of this Act, and no longer; and in every year after this year a Sheriff of the City and County of Londonderry, and also a Sheriff of each of the Counties of the Cities of Cork, Dublin, Kilkenny, Limerick and Waterford, and of each of the Counties of the Towns of Carrickfergus, Drogheda and Galway, shall be nominated and appointed by His Majesty, His heirs and successors, at the same time or times and in the same manner to all intents and purposes as the Sheriff of any County at large in Ireland is nominated and appointed and comes into office.

And be it further Enacted, That such of the powers and duties of any Mayor, Bailiff, Provost or Protreeve of any Town named in the said Schedules to this Act annexed as are exercised and performed in other places by Sheriffs shall cease, and the like duties shall be performed and executed in such Towns by the Sheriff of such Town being a County of a City or County of a Town, or when it shall not be a County of a City or Town, by the Sheriff of the County in which such Town is situated.

And be it further Enacted, That after the passing of this Act the Returning Officer at all Elections of a Member or Members of Parliament for any Town or Borough named in the said Schedules to this Act annexed shall be the Sheriff of the County in which such Town or Borough is situated, or his Deputy, and shall hold such Election and give notice thereof within the time within which a Sheriff of a City in Ireland is now bound so to do.

128.
Sheriffs of Cities and Towns which are Counties to be appointed by the Lord Lieutenant before 29 Sept. 1836, and afterwards by the Crown.

129.
Sheriffs to exercise the same powers in Towns within the Act as in other parts of their Counties.

130.
Sheriffs to be the Returning Officers under the Reform Act.

131.
Coroner and
Clerk of the
Peace of
Londonderry
to continue
in Office, and
in future to
be elected
as in Counties.

And be it further Enacted, That the persons who at present fill the offices of Coroner and Clerk of the Peace of the said City and County of Londonderry shall be and remain the Coroner and Clerk of the Peace of the City and County of Londonderry so long as they respectively shall well behave themselves in such offices; and whenever such offices respectively shall become vacant, persons shall be elected to such offices respectively in the same manner as persons are elected to the offices of Coroner and Clerk of the Peace respectively of any other County at large in Ireland.

132.
In certain
Boroughs
Council to
appoint a
Coroner.

And be it Enacted, That the Council of every Borough in 10
which a separate Court of Quarter Sessions of the Peace shall be
holden as is hereinafter provided, shall, within Ten Days next after
the grant of the said Court shall have been signified to the Council
of such Borough, appoint a fit person, not being an Alderman or 15
Councillor, to be Coroner of such Borough so long as he shall well
behave himself in his office of Coroner, and shall fill up every
vacancy in the office of Coroner of the Borough occurring by death,
resignation or removal, within Ten Days next after such vacancy;
and whenever there shall be no Coroner appointed and acting under
this Act, the Coroner of the adjoining Counties, or any of them, 20
shall take any inquisition which could be taken by a Coroner ap-
pointed under this Act, and have all the powers and authorities of
such Coroner: Provided always, That every Coroner of a County
of a City or County of a Town appointed under this Act shall be 25
entitled to be paid for the inquisition which he shall duly take in
the manner in which the payments to be made to Coroners of Coun-
ties are now provided for by law, and not otherwise: Provided
always, That no person shall be appointed Coroner as aforesaid who
shall not be seised or possessed of such an estate in some part of
Ireland as would qualify him to serve as a Coroner for a County 30
according to the Acts now in force in Ireland in relation to the
the office of Coroner; and every such person shall, before he acts as
such Coroner, take and subscribe all oaths now required to be taken
by a Coroner in Ireland: Provided also, That every Coroner to be
appointed under this Act shall be liable to be removed by the Court 35
of Chancery in Ireland in the same manner as any Coroner in
Ireland may now be removed by that Court: Provided always,
That every Coroner of every County of a City and County of a
Town in Ireland shall continue to hold the office of Coroner of such
County of a City or County of a Town respectively, and execute 40
all duties heretofore belonging to his office, in the same manner as
if this Act had not been made, until a Coroner shall be appointed
under the provisions of this Act, and no longer: and Provided also,
That it shall be lawful for the Council of any City to appoint a
second Coroner for such City, if required by the Lord Lieutenant
so to do, but not otherwise.

And

And be it further Enacted, That on or before the Tenth day of January in every year after the passing of this Act, every Coroner appointed under this Act shall make and transmit to the Lord Lieutenant of Ireland a return in writing, according to such form as the said Lord Lieutenant from time to time shall direct, of all the cases in which he may have been called upon to hold an inquest touching the cause of death of any person during the year ending on the Thirty-first day of December immediately preceding, and a copy of the finding of the Jury on every such inquest.

133.
Coroners to
make Returns
to Lord
Lieutenant.

And be it Enacted, That in every Town named in the said Schedules to this Act, not being a County of a City or County of a Town, and to which no such Court of separate Quarter Sessions shall be granted, no person after the Thirty-first day of December in this present year shall take any inquisition which belongs to the office of Coroner within such Town, save only the Coroner for the County at large in which such Town is situated.

134.
Coroner of
the County to
act in other
Towns.

And be it Enacted, That it shall be lawful for His Majesty from time to time to assign to so many persons as he shall think proper His Majesty's commission to act as Justices of the Peace in and for every County of a City and County of a Town, and in and for the City and Liberties of Londonderry.

135.
Commission
of Justices of
Peace to be
granted to
Towns which
are Counties.

And be it further Enacted, That a separate Court of Quarter Sessions of the Peace shall be holden in the Borough of Belfast, and shall continue and be holden in every Town in Ireland, being a County of a City or County of a Town, and in the City and Liberties of Londonderry.

136.
Separate
Quarter Ses-
sions to be
held in Coun-
ties of Cities
and Counties
of Towns.

And be it Enacted, That in every such County of a City and County of a Town, and in the City and Liberties of Londonderry, of which the present Recorder or Deputy Recorder is a Barrister of Six Years' standing, such Recorder or Deputy Recorder being qualified as aforesaid, or such of them as shall be acting in the performance of the duties of such office at the time of the passing of this Act, shall be continued or appointed Recorder of such County, or of such City and Liberties, under the provisions of this Act, and shall be paid out of the Town Fund, for or towards his salary, an annual sum of the same amount as the salary or part thereof now payable to him by the Body Corporate; and in case there shall be no salary now payable to him, then such annual sum as the Lord Lieutenant shall appoint, not exceeding the sum of One hundred and fifty Pounds: Provided nevertheless, That nothing herein contained shall be construed to give any better or other Title to any such Recorder than he would have had to hold

137.
Recorder to
be appointed
by Lord
Lieutenant
in Towns
which are
Counties.

such office if this Act had not been passed; and that any proceeding or information in the nature of a Quo Warranto or otherwise for the purpose of removing any such Recorder may be instituted or continued as if this Act had not been passed, and that for every such County of a City or County of a Town, or City and Liberties, in 5 which there shall be no such Recorder or Deputy Recorder, or in which such Recorder shall be ousted from his office in consequence of any such proceeding or information, and that for every such County of a City and County of a Town where there is no such Recorder or Deputy Recorder the Lord Lieutenant may appoint a 10 fit person, being a Barrister at Law of not less than Six Years' standing, to be and who shall be called the Recorder of such County, and shall hold such office during his good behaviour; and the Lord Lieutenant, upon any vacancy in any such office of Recorder, whether a Recorder shall have been continued in or appointed to 15 such office by virtue of this Act, may appoint another fit person, being a Barrister at Law of not less than Six Years' standing, to be the Recorder in the place of the person so making such vacancy; and the council of every Borough which shall be desirous that a separate Court of Quarter Sessions of the Peace shall be or con- 20 tinue to be holden in and for such Borough shall signify the same by petition to the Lord Lieutenant and Privy Council in Ireland, setting forth the grounds of the application and the salary which they are willing to pay to the Recorder in that behalf; and if His Majesty shall be pleased thereupon to grant that a separate Court 25 of Quarter Sessions of the Peace shall thenceforward be holden in and for such Borough, the Lord Lieutenant may appoint for such Borough, or for any Two or more of such Boroughs conjointly, a fit person, being a Barrister at Law of not less than Six Years' standing, who shall be and be called the Recorder of such Borough or 30 Boroughs, and shall hold such office during his good behaviour; and the Lord Lieutenant, upon any vacancy in any such office, may appoint another fit person, being a Barrister at Law of not less than Six Years' standing, to be Recorder in the place of the person so making such vacancy; and the Recorder for the time being of any 35 County of a City or County of a Town, or of the City and Liberties of Londonderry, or of any such Borough, shall be a Justice of the Peace of and for such County or such Cities and Liberties or Borough, although he may not have such qualification by estates as other is required by law in the case of any person being a Justice of 40 the Peace for a County; and it shall be lawful for the said Lord Lieutenant to direct that an annual salary, not exceeding the sum mentioned in such petition, shall be paid to every Recorder to be appointed as aforesaid by the Treasurer out of the Borough Fund of such Town: Provided always, That no person being such Recorder as aforesaid shall be eligible to serve in Parliament for the

Recorder to
be a Justice
of the Peace
for the Bo-
rough.

Not to be
Police
Magistrate.

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15.

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138.
Recorder to
make Decla-
ration before
acting.

139.
Lord Lieu-
tenant to
appoint a
Clerk of the
Crown.

140.
Sessions of
the Peace to
be held for
the Borough.

Recorder to
be Chief
Judge.

Sessions of the Peace in and for such Borough of which Court the Recorder of such Borough shall sit as the sole Judge; and such Court of Sessions of the Peace shall be a Court of Record, and shall have cognizance of all crimes, offences and matters whatsoever committed within such Borough cognizable by any Courts of Quarter Sessions of the Peace for Counties at large in Ireland, and said Recorder shall have power to do all things necessary for exercising such jurisdiction as fully as any such last-mentioned Court, notwithstanding his being such sole Judge; but no such Recorder shall have by virtue thereof any power to make or levy any rate, or to grant any license or authority to any person to keep an inn, alehouse or victualling house, or to sell exciseable liquor by retail, or exercise any of the powers herein specially vested in the Council of such Borough.

141.
Presentments
to be made in
Court of
King's
Bench.

Provided always, and be it further Enacted, That all Presentments for the raising of any money which may now be made at the Quarter Sessions in the City of Dublin shall be hereafter made by the Grand Jury of the said City impannelled in the Court of King's Bench in Michaelmas and Easter Terms in each year, or one of them.

142.
Clerk of the
Peace, in the
absence of
the Recorder,
may open and
adjourn the
Court.

And be it Enacted, That in the absence of the Recorder and Deputy Recorder, the Clerk of the Peace or other person discharging the duties of such office, at the proper times appointed for the holding of such Court of Sessions of the Peace in and for such Town, and the Registrar of the Court of Record for the trial of civil actions at the proper time for the holding of such Court of Record, shall be and they are hereby respectively authorized and required to open the said respective courts, and to adjourn over the holding of the same, and to respite all recognizances conditioned for appearing at the same, until such further day as such Clerk of the Peace or Registrar then and there, and so from time to time, shall cause to be proclaimed: Provided nevertheless, That nothing in this Act contained shall authorize or require any such Clerk of the Peace or Registrar to sit as a Judge of the said Court for the trial of offenders, or other Court of Record as aforesaid, or to do any other act in the character of a Judge of such Court respectively, save only in opening and adjourning such Court, and respiting the said recognizances in manner aforesaid.

143.
Capital Juris-
dictions and
all other
criminal
Jurisdictions
in Boroughs,
other than are
specified in
this Act,
abolished.

And be it Enacted, That after the First day of January One thousand eight hundred and Thirty-seven all powers and jurisdictions to try treasons, capital felonies, and all other criminal jurisdictions whatsoever, granted or confirmed by any law, statute, letters patent, grant, or charter whatsoever, to any mayor, bailiff, alderman,

Alderman, Recorder or other corporate or chartered officer, or corporate or chartered Justice of the Peace whomsoever, in any Borough named in the said Schedules to this Act annexed, and all right of any Body Corporate in any Borough, or any of the members thereof, by virtue of any law, statute, letters patent, grant or charter whatsoever, to elect or nominate any Justices to keep the peace in or for any such Borough, or by any members of any such Corporate Body to act as such Justices of the Peace in or for any of the last-named Boroughs, other than is herein declared, shall cease: Provided nevertheless, That nothing in this Act contained shall be construed to restrain or prevent the holding of any Court of Gaol Delivery or General or Quarter Sessions of the Peace in and for any Borough for which such Court may now be holden, until the said First day of January, but every such Court may be holden in like manner and with the same powers, until the said First day of January, as if this Act had not been passed.

And be it Enacted, That from and after the passing of this Act so much of all laws, statutes and usages, and so much of all royal and other charters, grants and letters patent heretofore granted to any Borough or Body Corporate named in the said Schedules to this Act annexed, whereby such Borough, or any place within the precincts or liberties of the same, or such Body Corporate, or the freemen or inhabitants of the same, claims or claim to be exempted and released from the jurisdiction and office of the Lord High Admiral of England, or of the High Court of the Admiralty of England or Ireland, or whereby any Body Corporate, or any Mayor, Bailiff, Recorder, Steward or other chartered or corporate officer of any Borough has or claims any thing belonging to the office of Admiral, whether or not to be exercised by virtue of any commission to them or any of them to be directed, shall be and the same is hereby repealed.

144.
Chartered
Admiralty
Jurisdictions
abolished.

Provided always, and be it further Enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter or take away any of the rights, privileges, powers or authorities vested in or enjoyed by the Society of the Governor and Assistants of London of the new Plantation in Ulster within the realm of Ireland, under or by virtue of any charter or charters heretofore granted to them by the Crown.

145.
Saving the
Rights of the
Governor and
Assistants of
London of
new Planta-
tion in Ulster.

And be it Enacted, That after the said First day of January every person who shall then stand committed to take his trial at any Court of Gaol Delivery, or General or Quarter Sessions of the Peace, for any Borough, charged with any offence which the Recorder of such Borough Town named in the said Schedules to this Act annexed, shall be and the same is hereby

146.
Offenders
committed to
Borough
Sessions
whose juris-
diction is
taken away,
to be tried in
the adjoining
County.

not being a County of a City or County of a Town, except the City and Liberties of Londonderry, may be lawfully removed and committed to the Gaol or House of Correction of the County in which such Town is situated, there to remain and take his trial at the next Court of Quarter Sessions for such County, if the offence is cognizable 5
by a Court of Quarter Sessions, and if not, then before the Judges of Oyer and Terminer and Gaol Delivery at their next circuit; and all persons bound by recognizance to prosecute and give evidence against such offenders shall be bound to appear to prosecute and give their evidence at the Court at which such offenders shall be tried as 10
aforesaid; and all such recognizances and all depositions relating to such charges shall be transmitted to the proper officer of the Court where such offenders shall be tried; and the Sheriff, Under Sheriff, gaolers, and other officers of the County in which such offenders shall be so tried, are hereby authorized and required, in every such 15
case, to receive every prisoner so committed to their custody, and him safely to keep until delivered by due course of law; and the Judges of Assize and others named in His Majesty's Commissions of Oyer and Terminer and Gaol Delivery, or the Justices for the County, as the case may be, in which such offenders shall be tried, are 20
hereby authorized and required to hear and determine all such cases, and to order the payment of the usual and fit expenses of the prosecutors and witnesses, and all other costs and expenses which in like case may be directed to be paid by order of the Court.

147.
County Justices to have Jurisdiction in all Towns within the County.

And be it Enacted, That after the First day of January One thousand eight hundred and Thirty-seven, the Justices assigned or hereafter to be assigned to keep the Peace in and for the County in which any Town in and for which a separate Court of Quarter Sessions of the Peace shall not be holden is situated, shall exercise the jurisdiction of Justices of the Peace in and for such Town as fully as 30
by law they and each of them can or ought to do in and for the said County.

148.
Jurisdiction of Court of Record.

And be it Enacted, That in every County of a City and County of a Town, and in the City and Liberties of Londonderry, and in every Borough in which His Majesty may grant as aforesaid a separate Court of Quarter Sessions of the Peace, there shall continue to be holden a Court of Record for the trial of civil actions, and the same shall be called the Court of Record of the City or Town within which the same shall be holden, and the Recorder of such County of a City or County of a Town, or of the said City and Liberties or 40
Borough, shall be the sole Judge of such Court; and the Recorder shall have jurisdiction to hold and continue such Court for the purpose of disposing of all causes pending therein on the said First day of January One thousand eight hundred and Thirty-seven, or at the time

time of the appointment of such Recorder, at such times and places,
and with such rules and practice, and with the same powers and juris-
diction, as belonged to the said Court at the time of the passing of
this Act; and in all other causes such Recorder shall have jurisdic-
5 tion to proceed either by process of attachment of goods or by service-
able or other process against the person, according to the provisions
hereinafter contained, with authority to try, in a summary way, as
hereinafter provided, actions of assumpsit, covenant and debt, whe-
ther the debt be by specialty or on simple contract, and all actions
10 of trespass or trover for taking goods and chattels, provided the sum
or damages sought to be recovered shall not exceed Twenty Pounds,
and either the cause of action shall have accrued within such Town
or City and Liberties or Borough, or the defendant or one of the
defendants shall be resident therein, and also actions of ejectment
15 between Landlord and Tenant wherein the annual rent of the pre-
mises of which possession is sought to be recovered shall not exceed
Twenty Pounds, and also to try, according to the course of the com-
mon law, actions of assumpsit, covenant and debt, whether the debt
be by specialty or on simple contract, and all actions of trespass or
20 trover for taking goods and chattels, provided the sum or damages
sought to be recovered shall not exceed One hundred Pounds, and
the cause of action shall have accrued within such Town or City and
Liberties or Borough; and such actions shall not be removed or
removable to any of His Majesty's Superior Courts, by writ of Cer-
25 tiorari or any other process, save, in cases where the proceeding is
according to the course of the common law, writ of error after judg-
ment: Provided also, That every such Judge respectively from time
to time may make rules for regulating the practice of such Court
over which he presides, but so that no such rules shall be of force
30 until they shall have been allowed and confirmed by the Judges of
His Majesty's Court of King's Bench in Dublin, or any Three of
them.

And be it further Enacted, That in every County of a City or
County of a Town, and in the said City and Liberties of London-
35 derry, and in the Borough of Belfast, the Lord Lieutenant shall
appoint some fit person to be Registrar of such Court of Record;
and upon vacancy in the said office shall appoint a fit person to
supply the same; and the person so appointed shall be Registrar of
such Court, and the Lord Lieutenant shall appoint such other
40 officers and servants as he shall deem necessary for carrying on the
business and executing the process of such Court; and in every
Borough, being a County of a City or County of a Town, wherein
the office of Clerk of the Crown or Clerk of the Peace is now by
law in the appointment of the Corporation of such Borough, or any
member or officer thereof, or held by any officer thereof, in right of

149.
Lord Lieu-
tenant to ap-
point the
Registrar of
the Court of
Record.

his office, and in every Borough, not being a County of a City or County of a Town to which a separate commission of the Peace shall be granted, it shall and may be lawful for the Lord Lieutenant to grant from time to time to any person the offices of Clerk of the Peace and Clerk of the Crown of such Borough, or either of them; 5 provided that no Registrar or other officer of such Court shall by himself or his partner practise as an attorney in such Court.

150.
Existing Suits
not to abate
by reason of
the change of
Jurisdiction.

And be it Enacted, That no suit commenced in any Court of Record in any Town before the passing of this Act shall abate by reason of any change that shall have been worked in the constitu- 10 tion of such Court by the provisions of this Act, but that the same may be heard and determined as if it had been commenced before such Judge according to the provisions hereinbefore contained in that behalf; and every action, suit and proceeding in which any Corporate Body named in the Schedules to this Act annexed is a 15 party or interested, shall and may be carried on by or against the said Corporate Body or the Commissioners to be elected as mentioned in this Act.

151.
Who to be
Jurors.

3 & 4 W. 4,
c. 91.

And be it Enacted, That every person, being a Burgess of any Borough wherein there shall be a separate Court of Sessions of the 20 Peace or a Court of Record for the trial of civil actions (who would be qualified to serve on a jury according to the provisions of an Act passed in the third and fourth years of the reign of His present Majesty, intituled, "An Act for consolidating and amending the Laws relative to Jurors and Juries in Ireland"), shall be quali- 25 fied and liable to serve on Grand Juries in such Borough, and also upon Juries for the trial of all issues joined in any Court of Sessions of the Peace, and in any Court of Record for the trial of civil actions triable within the Borough of which such person shall be a Burgess; and the Clerk of the Peace of every such Borough shall 30 give public notice of the time and place of holding every such Sessions of the Peace Ten Days at least before the holding thereof, and in Boroughs, being Counties of Cities or Counties of Towns the Sheriff thereof, and in other Boroughs the Clerk of the Peace thereof, shall, Seven Days at the least before the holding thereof, 35 cause to be summoned a sufficient number of persons, being qualified and liable as aforesaid, to serve as Grand Jurors at such Sessions, and in Boroughs being Counties as aforesaid the Sheriff, and in other Boroughs the Clerk of the Peace and Registrar of the Court of Record respectively, shall also cause to be summoned not 40 less than Thirty-six nor more than Sixty persons so liable and qualified as aforesaid to serve as Jurors at every such Sessions, and at the holding of every such Court of Record for the trial of causes; and such summons shall be made by showing to the person to be summoned, or in case he shall be absent from the usual place of his

his abode, by leaving with some person therein inhabiting, a note in writing under the hand of such Sheriff, Clerk of the Peace, or Registrar respectively, containing the substance of such summons; and such Sheriff or Clerk of the Peace respectively shall make out
5 a list of the names of such persons so summoned as Grand Jurors, and such Sheriff, Clerk of the Peace, or Registrar respectively shall also make out a panel of such persons so summoned other than Grand Jurors; and such list and panel shall respectively contain therein the Christian names and surnames, places of abode,
10 and descriptions of the several persons therein named; and if any person having been duly summoned to attend on any Jury shall not attend in pursuance of such summons, or being thrice called shall not answer to his name, or after his appearance wilfully withdraw himself from the presence of the Court, the Court shall
15 impose such fine upon every person so making default (unless some reasonable excuse shall be proved to the satisfaction of the Court) as the Court shall think meet; and if any person on whom such fine shall be imposed shall refuse to pay the same to the person who shall be authorized by the Court to receive the same, it shall
20 be lawful for the Court, then or at its next sitting, by order of the Court, signed by the Clerk of the Peace or Registrar respectively, to cause to be levied, by distress and sale of the goods of the person on whom such fine shall have been imposed, every such fine and the reasonable charges of such distress and sale; and every fine
25 so received shall be paid to the Treasurer of the Borough, to be by him carried to the account of the Borough fund hereinbefore mentioned.

Fine for Non-attendance.

And be it Enacted, That after the passing of this Act, every member of the Council for the time being of the Borough, and
30 Justice assigned to keep the Peace therein, and every Officer of Police therein, and the Treasurer and Town Clerk for the time being of every such Borough, shall be exempt and disqualified from serving on any Jury summoned within such Borough respectively, save and except the Juries summoned for the Assize or General
35 Gaol Delivery.

152.
Justices, &c.
exempt from
serving on
Juries.

And be it Enacted, That in all cases of debt or liquidated damages in which the plaintiff shall be desirous of proceeding in any such Court of Record, by way of attachment of goods, the plaintiff or one of the plaintiffs, or some person able to depose to the facts of
40 his own knowledge, shall first make affidavit before the Registrar of such Court, of the cause of action, and that the same has accrued within such County of a City, County of a Town, or City and Liberties, or Borough, or else, where the debt or damages do not exceed Twenty Pounds, that the defendant, or one of the defendants,

153.
Court of
Record, pro-
ceeding in:
Attachment.

is resident therein (describing such defendant by his name, addition, and residence particularly), and that the deponent is apprehensive that such debt or damages is or are in danger of being lost to the plaintiff unless aided by process of the said Court to attach the goods of the defendant, and thereupon it shall be lawful for such Registrar to issue an attachment, directed to the proper Officer of the Court, to be appointed in that behalf as aforesaid, requiring him, according to the Form Number 1 in Schedule (B.) to this Act annexed, to attach the goods of the defendant within the County of a City or County of a Town, or City and Liberties, or Borough, and thereupon such officer is hereby authorized and required to seize such goods, and to detain the same until the defendant shall have given special bail to render the body, or pay such sums of money as may be adjudged to the plaintiff in that suit.

154.
Foreign
Attachment.

And be it Enacted, That in every County of a City or County of a Town, or in such City and Liberties, in which by usage or charter the goods, monies or credits of the defendant, may by process of foreign attachment be attached in the hands of a third person, such process by foreign attachment may be proceeded upon in the Court of Record of such City or Town, under this Act, with such rules of practice, and with the same powers and jurisdiction, as belonged to the said Court at the time of the passing of this Act: Provided always, That no such foreign attachment shall be issued unless a common attachment against the goods of the defendant shall first have issued, and unless thereupon a further affidavit shall be made as aforesaid, describing the goods, monies or credits sought to be attached in the hands of such third person, and stating that the same belong to the defendant; and such third person, in case he claims a property in such goods, shall be permitted to give bail for the same in manner aforesaid.

155.
Where the
Proceedings
shall be by
Civil Bill.

And be it Enacted, That upon the appearance of the defendant upon any such common attachment, and upon the appearance of the garnishee upon any such foreign attachment, the plaintiff, in all cases where the debt or damages do not exceed Twenty Pounds, shall proceed by way of civil bill thereupon, and not according to the course of the common law, by filing such civil bill in the said Court, and giving notice in writing of such filing, together with a copy of such civil bill, to the party or his attorney in the proceeding.

156.
Form of
Proceeding.

And be it Enacted, That in all such cases, and in all other cases wherein the debt or damages do not exceed Twenty Pounds, and the plaintiff shall elect to proceed by serviceable or other process against the person only in such Court of Record, and in all cases of

of ejectment triable in such Court of Record, the proceeding shall be, as nearly as circumstances will admit, in the forms and according to the course, and with such right of appeal to the Judge of Assize of the County in which such Borough, or any part thereof shall be situate, or to one of the Superior Courts in the City of Dublin, as is by law provided, in cases of Civil Bills determinable before the Assistant Barristers of Counties in Ireland, and in cases where the plaintiff shall proceed in such Court according to the course of the common law, and shall recover in debt or damages an amount not exceeding Twenty Pounds, such plaintiff shall not recover any costs of suit.

And be it Enacted, That any attorney of any of the Superior Courts of Record in Dublin shall be admissible to practise in the Court of Record of any such County of a City or County of a Town, or City and Liberties, or Borough, without payment of any fee or stamp duty upon such his admission, and may continue to practise therein so long as he continues an attorney of some of the Superior Courts of Record aforesaid, and is in all other respects duly qualified to act and practise as such attorney.

157.
Attornies in
Court of
Record.

AND whereas in several of the Towns in Ireland which are not Counties there are Courts of Record for the trial of civil actions, and such Courts when well regulated have been found useful to the inhabitants of the said Towns; BE it Enacted, That from and after the passing of this Act all the powers, authorities, usages and jurisdiction of any existing Court of Record in every Town named in the said Schedules to this Act annexed, which is not a County, except the City and Liberties of Londonderry, whether the same shall have been established by usage, statute or otherwise, shall continue in the same manner as if this Act had not passed, until the Lord Lieutenant shall think proper to determine the same, and at any time it shall be lawful for the Lord Lieutenant, by an order under his hand, to declare that any such Court shall be discontinued at a time to be mentioned in such order, and to be not less than Two calendar Months after the date of such order; and every such order shall be advertised in the Dublin Gazette, and at the time appointed for that purpose in such order such Court of Record, and all powers, authorities and jurisdictions thereof, shall wholly cease and determine, save only as to the execution of any decrees or orders of the said Court theretofore lawfully made; and the Lord Lieutenant shall appoint a fit person, being a Barrister of not less than Six Years' standing, to be Judge of such Court during the continuance thereof and his good behaviour, and also fit persons to be the officers of the said Court.

158.
Existing
Courts of
Record to be
continued
until deter-
mined by the
Lord Lieu-
tenant.

159.
Court of
Conscience.

AND whereas in several of the Towns in Ireland there have been Courts for the recovery of small debts in a summary way, commonly called Courts of Conscience, and such Courts, when well regulated, have been found useful to the poorer inhabitants of the said Boroughs, and it is expedient to make new and further provisions for the establishment and regulation of such Courts in certain cases; BE it Enacted, That from and after the passing of this Act all the powers, authorities and jurisdictions of any existing Court for the recovery of small debts, commonly called the Court of Conscience, in every Town named in the said Schedules to this Act annexed, whether the same shall have been established by usage, statute or otherwise, shall continue in the same manner as if this Act had not passed, until the Lord Lieutenant shall think proper to determine the same; and at any time it shall be lawful for the Lord Lieutenant, by an order under his hand, to declare that any such Court shall be discontinued at a time to be mentioned in such order, and to be not less than Two calendar Months after the date of such order, and every such order shall be advertised in the Dublin Gazette; and at the time appointed for that purpose in such order, such Court of Conscience, and all powers, authorities and jurisdictions thereof shall wholly cease and determine, save only as to the execution of any decrees or orders of the said Court theretofore lawfully made.

160.
Lord Lieutenant, with Consent of Privy Council, may appoint a Court of Conscience under the Regulations of the Act in the same or any other Town.

And be it further Enacted, That in case the Lord Lieutenant, with the advice and consent of His Majesty's Privy Council of Ireland, shall at any time think it expedient that any Court of Conscience now existing shall be continued, or that a Court of Conscience under such regulations as hereinafter are contained, shall be established in any Town named in the Schedules to this Act annexed, where no such Court now exists, then the Lord Lieutenant may appoint a fit person, being a Barrister of not less than Six Years' standing, who shall be and shall be called the Judge of the Court of Conscience for such Town, and shall hold such office during his good behaviour; and in the event of any vacancy in such office, the Lord Lieutenant may appoint a fit person to be such Judge; and there shall be, from and after the appointment of such Judge in such Town, a Court holden for the recovery of small debts, to be called the Court of Conscience of such Borough, the Judge or President of such Court shall have full power and authority to hear and determine in a summary way causes in all small debts between party and party, not exceeding in amount the sum of Forty Shillings, where the cause of action shall have accrued within the said Borough, or the defendant shall reside within the same.

And

And be it further Enacted, That it shall be lawful for the Judge of the Court of Conscience to appoint and remove at his pleasure a clerk and other necessary officers of such Court.

161.
Clerks and
other Officers
of Courts of
Conscience to
be appointed
by the Lord
Lieutenant.

And be it Enacted, That the said Court shall be held at such
5 times and in such place within the said Town as the Lord Lieu-
tenant shall direct and provide, and not otherwise; and that the
proceedings in said Court shall be by summons in the form Num-
ber 2, specified in the Schedule (F.) to this Act annexed, stating
the names of the parties, plaintiff and defendant, the nature and
10 amount of the debt, and the time and place when and where the
defendant is required to appear and answer the said claim; and
such summons shall be served on the said defendant personally, or,
in case of difficulty in effecting personal service, arising from the
acts or contrivance of said defendant, by serving same in such
15 manner as the Judge of the said Court shall direct, and in such
case a copy of the order for such substitution of service shall be served
along with and in the same manner as the summons; and in all
cases the summons shall be served in manner aforesaid Twenty-
four Hours at the least previously to the hearing of the cause; and
20 in case the said defendant shall appear, or if the plaintiff shall
prove by affidavit (which, and all other affidavits in the said Court,
the said Judge is hereby empowered to take), the due service of the
said summons, or summons and order as aforesaid, the Judge shall
proceed to hear the said cause and the statement of the said party
25 or parties, or their attorney or attornies, and all competent witnesses
and other legal evidence produced by them or either of them, and
shall determine the same: Provided always, That it shall be lawful
for either party to require the other to be examined upon oath
touching the said claim, but that neither of the said parties shall
30 be admitted by his own evidence, on oath or otherwise, to support
his own case.

162.
Proceedings
in.

And be it Enacted, That upon such evidence as shall be adduced,
and the admissions of the said parties, if required to be examined
as aforesaid, the said Judge shall decide upon the case, and shall
35 make an order either for the payment of the sum claimed by the
plaintiff or any part thereof, together with his costs of suit, or for
dismissing the said summons, and in such case to order the plain-
tiff to pay to the defendant his reasonable costs, or may adjourn
the cause to some other day, as justice may require; and every such
40 order shall specify a time within which such payment of debt and
costs, or of costs, as the case may be, shall be made, either by in-
stalments or otherwise; and every order dismissing such summons
shall be expressed therein to be either "on the merits" or "with-
out prejudice to any other proceeding for the said demand;" and

163.
Order of Pro-
ceedings in.

in case the party against whom such order for the payment of the said debt and costs, or of such costs, shall be made, shall not pay the amount thereof pursuant to the terms of said order, it shall be lawful for the Judge of the said Court, upon affidavit made of the service of a copy of such order on such party personally, or at his dwelling-house, office or shop, or last known place of residence within the said Borough, and of the nonpayment of any sum of money mentioned in such order, pursuant to the terms thereof, to issue his warrant under his hand to levy the amount thereof by distress and sale of the goods of the said party. 5 10

164.
Books of
Proceedings
to be provided
and kept.

And be it Enacted, That the Judge of every Court of Conscience, or the Clerk of such Court under the orders of the Judge, shall make or cause to be made fair and regular entries in books to be provided by such Clerk, under the direction of the Judge for that purpose, of all judgments, orders, directions, regulations, acts and proceedings of the said Judge in or relating to the execution of the several powers and authorities vested in him, and shall respectively sign the same; and such entries when so signed shall be allowed in evidence in proof of the proceedings of such Court in all Courts whatsoever; and if any person within the jurisdiction of the said Court, after having been duly served with a summons, to be issued by the Clerk thereof, and paid or tendered his reasonable expenses, to attend and give evidence at a time and place in such summons mentioned, on behalf of any plaintiff or defendant, shall refuse or neglect to appear pursuant to such summons, due proof being made of the service of such summons, and no sufficient cause for his nonappearance being shown to the satisfaction of the Court upon affidavit, or if the person so served with such summons shall appear and refuse to give evidence touching the matter in question, then and in every such case it shall be lawful for such Judge, as the case may be, if satisfied upon affidavit that such person not appearing was duly served with such summons, and was a material witness for the party on whose behalf he was so summoned, or that such person appearing and refusing to give evidence as aforesaid was a material witness for the party on whose behalf he was called, to impose any fine not exceeding Fifty Shillings on every such person; and in case such fine shall not be paid forthwith, such fine may be levied by distress and sale of the goods of the offender, by warrant under the hand of such Judge, as the case may be, rendering the overplus (if any), after deducting such fine and the costs and charges of such distress, to the owner of the goods; and such fine, when levied, shall be paid over to the party on whose behalf such person shall have been summoned or called upon to give evidence; and in case any person shall be guilty of a contempt of the said Court it shall be lawful for such Judge to direct that such offender 15 20 25 30 35 40

offender be taken into custody, and any officer of the Court, with or without the assistance of any other person, may take such offender into custody accordingly; and the said Judge shall then examine into such contempt, and then, upon his own view or upon oath of

5 One or more other persons, impose a fine not exceeding Fifty Shillings for each offence on each offender; and if such fine shall not be forthwith paid, such Judge may commit the offender to any lawful prison within such Borough for any time not exceeding

10 Twenty Days; or such fine may be levied by distress and sale of the goods of the offender in manner aforesaid, and paid to the Treasurer of the Borough or Town Fund of such Town, to the credit of the Borough Fund, and such offender may be detained in custody until the rising of the Court on the day of his offence, and for One Hour after.

15 And be it Enacted, That the Recorder of every Borough shall and he is hereby required, within Six calendar Months next after his appointment, or within Six calendar Months after the passing of this Act, if he shall be continued as Recorder under the provisions thereof, to make and settle a Table of the Fees which shall be

20 taken by the Clerk of the Peace, Registrars and officers of the Court of Record, and in those Boroughs in which there shall be a Court of Conscience the Judge of the Court of Conscience shall make and settle a Table of the Fees to be taken by the Registrar and officers of such Court; and such Tables of Fees shall be sub-

25 mitted to the Chief Justice and other Justices of His Majesty's Court of King's Bench in Ireland; and when such Tables of Fees shall be confirmed and allowed by such Chief Justice or other Justices, or any Three of them, either as such Tables shall have been submitted to them, or with such alterations, additions or abate-

30 ments as they shall think proper, the fees therein mentioned may thenceforth be lawfully taken by the person therein named to be entitled thereunto; and it shall be lawful for the Recorder or Judge, as the case may be, from time to time, as occasion may require, to make new Tables of Fees to be taken instead of the Fees

35 contained in the Tables which shall have been made as aforesaid, which new Tables shall be confirmed and allowed in the manner hereinbefore mentioned, otherwise the same shall be of no validity; and that until Tables of the Fees so to be taken in any such Borough shall have been made and confirmed as aforesaid, it shall be lawful

40 for such Clerk of the Peace at the Sessions for any such Borough to take the fees authorized by the Table for the time being to be taken by the Clerk of the Peace at the Sessions for the County within or adjoining to which such Borough is situated, and for the Registrar and Officers of such Court of Record or Court of Conscience to take the fees usually taken by them before the passing of this Act.

165.
Fees payable
to the Clerk
of the Peace,
Clerk to the
Magistrates,
and Registrar
and Officers
of the Court
of Record.

166.
Clerks to
Justices to
be entitled
to Fees
chargeable
under Act
7 & 8 G. 4.

And be it Enacted, That in those Boroughs to which a commission of the peace shall have been granted, the Clerk to the Justices shall be entitled to such fees (and no other) as are chargeable by and under an Act passed in the seventh and eighth years of the reign of his late Majesty King GEORGE the Fourth, intituled, "An Act for the better Administration of Justice at the holding of Petty Sessions by Justices of the Peace in Ireland," subject to such orders of the Justices as in that Act provided. 5

167.
Table of Fees
to be hung up.

And be it Enacted, That the Town Clerk of every Borough shall cause a true copy of the Tables of Fees in force for the time being to be hung up in a conspicuous part of the room in which the business of his office is transacted, and also in the room wherein the Justices of the Peace of such Borough shall sit for transacting their business, and also in the room wherein the Court of Sessions of the Peace for the Borough shall be held, and also in the Court of Record and Court of Conscience of the said Borough respectively. 10 15

168.
Application
of Penalties.

And be it Enacted, That when by any Act any penalties or forfeitures are made recoverable in a summary manner before any Justice or Justices of the Peace, and by such Act the same are limited and made payable to His Majesty, or to any Body Corporate named in the Schedules to this Act annexed, in every such case the same, if recovered and adjudged before any Justice of any County of a City or County of a Town, or of the said City and Liberties of Londonderry, or any Justice having jurisdiction in any Borough, shall, notwithstanding any thing in such Act contained, be recovered for and adjudged to be paid to the Treasurer of such Borough or Town for the time being, to the credit and on account of the Borough or Town Fund of such Town; and no such penalty or forfeiture, or share of such penalty or forfeiture, shall in any case be recovered by or adjudged to be paid to any such Body Corporate or any other person than the said Treasurer, unless such person be the informer or the party aggrieved: Provided always, That nothing herein contained shall extend to any penalties or forfeitures recovered under any Act relating to the customs or to trade or navigation, and sued for by the direction of the Commissioners of His Majesty's Customs, which shall be paid to such person as the said Commissioners shall direct to receive the same. 20 25 30 35

169.
Limitation of
time for Pro-
secution of
Offences
punishable on
summary
Conviction
under this
Act, and
Summonses of
Offenders.

AND for the more effectual prosecution of offences punishable upon summary conviction by virtue of this Act, BE it Enacted, That the prosecution for every such offence shall be commenced within Six calendar Months after the commission of the offence, and not otherwise; and that where any person shall be charged, on the oath of a credible witness, with any such offence before a Justice of the Peace 40

Peace, the Justice may summon the party charged to appear before any two Justices of the Peace acting in and for the Town or County or City or Liberties, or Borough, in which such offence shall have been committed, at a time and place to be named in such summons ;
 5 and if such party shall not appear accordingly, the Justices of the Peace then and there present (upon proof of the due service of the summons by delivering a copy thereof to the party, or by delivering such copy at the party's usual place of abode to some inmate thereat, and explaining the purport thereof to such inmate),
 10 may either proceed to hear and determine the case in the absence of the party, or may issue their warrant for apprehending and bringing such party before them, as they shall think proper.

And be it Enacted, That it shall be lawful for any Justice of the Peace acting in and for any Town or County or City or Liberties or
 15 Borough, to issue his summons requiring any person to appear before any such Justices of the Peace for the purpose of giving evidence touching any offence against this Act; and if any person so summoned shall neglect or refuse to appear at the time and place appointed by such summons, and no reasonable excuse for his
 20 absence shall be proved before the Justices of the Peace then and there present, or if any person appearing in obedience to such summons shall refuse to be examined on oath touching any such offence by the Justices then and there present, every person so offending shall, on conviction thereof before the said Justices, or any
 25 other Justices of the Peace, forfeit and pay such sum of money, not exceeding Five Pounds, as to the convicting Justices shall seem meet; and no person, although liable to any rate in aid or diminution of which any part of the income of any Borough or Town Fund shall be applied, shall be deemed an incompetent witness in proof of
 30 any offence against this Act by reason of any penalty or forfeiture for such offence being applicable to the use of such Town Fund; and no Justice of the Peace shall be disabled from acting in the execution of this Act by reason of his being liable to any such rate; nor shall any Burgess or Householder be deemed an incompetent
 35 witness in any suit or proceeding at law or in equity by reason of his being a member of any Body Corporate, or interested in the Borough or Town Fund.

170.
Power to
summon
Witnesses.

Penalty for
disobedience
of Summons,
&c.

No Witness
or Justice to
be incompe-
tent on the
ground of
rateability.

And be it Enacted, That the Justices of the Peace by whom any person shall be summarily convicted and adjudged to pay any sum
 40 of money for any offence against this Act may adjudge that such person shall pay the same either immediately or within such period as the said Justices shall think fit; and in case such sum of money shall not be paid at the time so appointed, the same shall be levied by distress, and sale of the goods and chattels of the

171.
Payment of
Penalties,
and mode of
levying the
same.

offender, with the reasonable charges of such distress ; and it shall be lawful for such Justices to order the offender to be detained in safe custody until return can be conveniently made to the Warrant of Distress, unless the said offender shall give sufficient security, to the satisfaction of such Justices, for his or her appearance before them, on such day as shall be appointed for the return of such Warrant of Distress, such day not being more than Eight Days from the day of taking the security, and which security the said Justices are hereby empowered to take, by way of recognizance or otherwise ; and if upon the return of such Warrant it shall appear that no sufficient distress can be had thereupon, or in case it shall appear to the satisfaction of such Justices, either by the confession of the offender or otherwise, that the offender hath not sufficient goods and chattels whereon such sum of money and costs may be levied were a Warrant of Distress issued, such Justices shall not be required to issuesuch Warrant of Distress, and thereupon it shall be lawful for any such Justices and they are hereby authorized and required to cause such offender to be imprisoned, with or without hard labour, in the Common Gaol or House of Correction, as to the convicting Justices shall seem meet, for any term not exceeding One calendar Month where the sum to be paid shall not exceed Five Pounds, and for any term not exceeding Two calendar Months in any other case ; the imprisonment to cease in each of the cases aforesaid upon payment of the sum due.

172.
Form of
Conviction.

And be it Enacted, That the Justices of the Peace before whom any person shall be summarily convicted of any offence against this Act may cause the conviction to be drawn up in the following form of words, or in any other words to the like effect, as the case may require ; (that is to say)

to wit. } “ BE it Remembered, That on the day of 30
 } in the year of our Lord in
 } the town of in the county of A. O.
is convicted before us, J. P. and J. J. P., Two of His Majesty’s Justices of the Peace for the said County [or Town, or otherwise, as the case may be], for that the said A. O. did [here specify the offence, and the time and place when and where the same was committed, as the case may be] ; and we do adjudge that the said A. O. shall for the said offence forfeit the sum of and shall pay the same immediately [or shall pay the same on or before the day of] to the Treasurer of the Borough or Town Fund of the said Town, to be by him applied according to the directions of the Statute in that case made and provided. Given under our hands the day and year firstabove mentioned.” 35 40

And

173.
Appeal
against Con-
victions under
this Act.

And be it Enacted, That any person who shall think himself aggrieved by any summary conviction in pursuance of this Act may appeal to the next Court of General or Quarter Sessions of the Peace to be holden not less than Twelve Days after such conviction
5 for the county or division of the county or for the town wherein the cause of complaint shall have arisen : Provided, That such person shall give to the complainant a notice in writing of such appeal, and of the cause and matter thereof, within Three Days after such conviction, and Seven clear Days at the least before such Sessions,
10 and shall also either remain in custody until the Sessions, or within such Three Days enter into a recognizance with a sufficient surety before a Justice of the Peace, conditioned personally to appear at the said Sessions, and to try such appeal, and to abide the judgment of the Court thereupon, and to pay such costs as shall be by the
15 Court awarded; and upon such notice being given, and such recognizance entered into, the Justice before whom the same shall be entered into shall liberate such person if in custody; and the Court at such Sessions shall hear and determine the matter of the appeal, and shall make such order therein, with or without costs to
20 either party, as to the Court shall seem meet; and in case of the dismissal of the appeal or the affirmance of the conviction shall order and adjudge the offender to be dealt with and punished according to the conviction, and to pay such costs as shall be awarded, and shall, if necessary, issue process for enforcing such
25 judgment.

174.
No Certiorari,
&c.

And be it Enacted, That no conviction, order, warrant or other matter made or purporting to be made by virtue of this Act shall be quashed for want of form; and no warrant of commitment shall be held void by reason of any defect therein, provided that it be
30 therein alleged that it is founded on a conviction, and there be a good and valid conviction to sustain the same; and where any distress shall be made for levying any money by virtue of this Act, the distress itself shall not be deemed unlawful, nor the party making the same be deemed a trespasser, on account of any defect
35 or want of form in the summons, conviction, warrant of distress or other proceedings relating thereto, nor shall the party distraining be deemed a trespasser ab initio on account of any irregularity afterwards committed by him, but the person aggrieved by such irregularity may recover full satisfaction for the special damage, if
40 any, in an action upon the case.

As to infor-
mality in
Warrants, &c.

AND for the protection of persons acting in the execution of this Act, BE it Enacted, That all actions and prosecutions to be commenced against any person for any thing done in pursuance of this Act shall be commenced within Twelve calendar Months after the

175.
Limitation in
Proceedings
against Per-
sons acting
under this
Act.

Notice of Action.	fact committed, and not otherwise; and notice in writing of such action and of the cause thereof shall be given to the defendant One calendar Month at least before the commencement of the action;	
General Issue.	and in any such action the defendant may plead the General Issue, and give this Act and the special matter in evidence at any trial to	5
Tender of Amends, &c.	be had thereupon; and no Plaintiff shall recover in any such action if tender of sufficient amends shall have been made before such action brought, or if a sufficient sum of money shall have been paid into Court after such action, by or on behalf of the defendant; and if a verdict shall pass for the Defendant, or the Plaintiff shall become nonsuit, or discontinue any such action after issue joined, or if upon demurrer or otherwise judgment shall be given against the plaintiff, the defendant shall recover his full costs as between attorney and client, and have the like remedy for the same as any defendant hath by law in other cases.	10 15

176.
Periods connected with first Registration and Election may be deferred by Orders in Council.

AND whereas it may happen that the several provisions of this Act cannot be carried into effect within the several periods in the present year hereinbefore specified and limited in that behalf; BE it therefore Enacted, That it shall be lawful for the Lord Lieutenant of Ireland, if he shall think fit, by the advice of His Majesty's Privy Council there, to order any days and times for doing in this present year the several matters required or authorized by this Act to be done, in lieu of the several days and times for the present year hereinbefore specified, or any of them; and in such case all matters mentioned in such order shall be done in this present year, on and within such days and times as shall be mentioned respectively in that behalf, in such order as if the days and times mentioned in such order had in every instance been mentioned in this Act, instead of the days and times hereinbefore respectively mentioned in that behalf, and not otherwise: Provided always, That nothing herein contained shall authorize the Lord Lieutenant to appoint any days or times other than are hereinbefore specified for any matters to be done after the expiration of this present year: Provided also, That no person shall be entitled to be enrolled in the Burgess Roll of any Borough in this present year unless he would have been entitled on the last day of August in this year to have his name included in some Churchwarden's List, if such List had been made out on the said last day of August.

177.
The King empowered to grant Charter of Incorporation.

AND whereas sundry Towns in Ireland not named in the Schedules to this Act annexed are not Towns Corporate, and in some others the Corporations have been extinct, and it may be expedient that several of them should be incorporated; BE it Enacted, That if any of the inhabitant householders of any Town in Ireland shall petition His Majesty to grant to them a Charter of Incorporation, it shall

shall be lawful for His Majesty, by any such Charter, if he shall think fit to grant the same, to extend to the inhabitants of any such town within the district to be set forth in such Charter, all or any of the powers and provisions in this Act contained ; and in such case
 5 the Mayor of such Town or Borough shall be and become the Returning Officer at all elections of a Member to serve in Parliament for such Town or Borough : Provided nevertheless, That notice of every such petition, and of the time when it shall please His Majesty to order that the same be taken into consideration by
 10 His Privy Council, shall be published by Royal Proclamation in the Dublin Gazette, One Month at least before such petition shall be so considered.

And be it Enacted, That the Council in each City or Town in Ireland in which there now is or hereafter may be a Municipal
 15 Corporation under this Act, shall before the First day of March in each year, transmit to the Lord Lieutenant or Chief Governor (for the time being) of Ireland, a statement of all monies received and expended on account of such Corporation within the year preceeding, which statement shall be prepared in such form and manner as the
 20 Lord Lieutenant shall direct, and such accounts shall refer to the year ended upon the First of January of the year in which such account is hereby required to be so transmitted ; and an abstract of such statements and accounts, under general heads, shall be laid before both Houses of Parliament, during their sitting, in the same
 25 year in which they are hereby required to be transmitted as aforesaid.

178.
 Councils to transmit yearly Accounts of Income and Expenditure to Lord Lieutenant, and an Abstract thereof to be laid before Parliament.

And be it Enacted, That in the construction of this Act the words " Body Corporate " shall be construed to include all Guilds and Fraternities of, within, or connected with such Bodies Corporate
 30 respectively ; and the word " Burgess " shall be construed to mean Citizen in the case of a City ; and the word " County " shall be construed to mean County or Riding ; and the word " Town " shall be construed to mean City, Borough or Town ; and the word " Borough " shall be construed to mean City, Borough or Town
 35 Corporate ; and every provision for the formation of a Burgess Roll, or for the election of a Mayor, Alderman or Councillors, or of Auditors or Assessors, or relating to the powers or duties of any Mayor or Councillor, Auditors or Assessors, shall be applied to such Boroughs only as are in the Schedules (A.) and (B.) ; and the word
 40 " Trustees " shall be construed to mean Trustees, Commissioners, or Directors, or the persons charged with the execution of a trust, by whatever name they are designated ; and the word " Parish " shall be construed to extend to any extra-parochial Precinct or Place, as well as a Parish ; and the words " Lord Lieutenant " shall be

179.
 Interpretation Clause.

construed to mean the Lord Lieutenant, Lords Justices, or other Chief Governor or Governors of Ireland; and that in all things hereinafter provided to be done until the first election of Councillors in any Borough under this Act shall have been declared, the word "Mayor" shall be construed to mean the Chief Officer of a Borough, 5 by whatever name he is now called; or when there may be no such Chief Officer, the Returning Officer at elections of Members to serve in Parliament for such Borough; or when there may be neither any such Chief Officer or Returning Officer, then such person as the Lord Lieutenant for the time being shall, by writing under his hand, 10 appoint to perform the duty of Mayor under the provisions hereinafter contained; and, in describing any person or thing, any word importing the singular number shall be construed to mean also several persons or things respectively, unless there be something in the subject or context repugnant to such construction; and that no 15 misnomer or inaccurate description of any person, Body Corporate, or place named in any Shedule to this Act annexed, or in any Burgess Roll, Ward List, Notice or Voting Paper required by this Act, shall hinder the full operation of this Act with respect to such person or place, provided that such person or place shall be so 20 named as to be commonly understood; and in all cases where an oath or affidavit is required under this Act, the affirmation or declaration of a Quaker, Moravian or Separatist shall be accepted in lieu of such oath or affidavit.

180.
Act may be
altered this
Session.

And be it Enacted, That this Act may be altered or amended by any Act to be passed in this present Session of Parliament.

SCHEDULES to which this ACT refers,

SCHEDULE (A.)

BOROUGHES which are to have a COUNCIL.

Borough.	Wards.	Aldermen.	Councillors.	Style of Corporate Body.
BELFAST	5	10	30	The Sovereign, Free Burgesses and Commonalty of the Borough of Belfast.
CORK	8	16	48	The Mayor, Sheriffs and Commonalty of the City of Cork.
DUBLIN	16	16	48	The Right honourable the Lord Mayor, Sheriffs, Commons and Citizens of the City of Dublin.
GALWAY	5	10	30	The Mayor, Sheriffs, Free Burgesses and Commonalty of the Town and County of the Town of Galway.
KILKENNY	3	6	18	{ The Mayor and Citizens of the City of Kilkenny. The Portreeve, Burgesses and Commons of the Borough or Town of Irishtown.
LIMERICK	5	10	30	The Mayor, Sheriffs and Citizens of the City of Limerick.
WATERFORD	5	10	30	The Mayor, Sheriffs and Citizens of County of the City of Waterford in the Kingdom of Ireland.
CLONMEL	3	6	18	The Mayor, Free Burgesses and Commonalty of the Town of Clonmel.
DROGHEDA	3	6	18	The Mayor, Sheriffs, Burgesses and Commonalty of the County of the Town of Drogheda.
LONDONDERRY	3	6	18	The Mayor, Commonalty and Citizens of Londonderry.
SLIGO	3	6	18	The Provost, Free Burgesses and Commonalty of the Borough of Sligo.
CARRICKFERGUS	-	6	18	The Mayor, Sheriffs, Burgesses and Commonalty of the Town of Carrickfergus.

Proposed by The Lords, but left out by The Commons.

SCHEDULE (A.)

COUNTIES.

BOROUGH.	STYLE OF CORPORATE BODY.
Carrickfergus	The Mayor, Sheriff, Burgesses and Commonalty of the Town of Carrickfergus.
Cork - - -	The Mayor, Sheriffs and Commonalty of the City of Cork.
Drogheda - -	The Mayor, Sheriffs, Burgesses and Commonalty of the County of the Town of Drogheda.
Dublin - - -	The Right honourable the Lord Mayor, Sheriffs, Commons and Citizens of the City of Dublin.
Galway - - -	The Mayor, Sheriffs, Free Burgesses and Commonalty of the Town and County of the Town of Galway.
Kilkenny - -	The Mayor and Citizens of the City of Kilkenny.
Limerick - -	The Mayor, Sheriffs and Citizens of the City of Limerick.
Waterford - -	The Mayor, Sheriffs and Citizens of County of the City of Waterford, in the Kingdom of Ireland.
City and Liberties of Londonderry	The Mayor, Commonalty and Citizens of Londonderry.

TOWNS NOT COUNTIES.

BOROUGH.	STYLE OF CORPORATE BODY.
Ardee - - -	The Portreeve, Burgesses and Commons of the Corporation of Atherdee.
Armagh - - -	The Sovereign, Free Burgesses and Commonalty of the Borough of Armagh.
Athlone - - -	The Sovereign, Bailiffs, Burgesses and Freemen of the Town of Athlone.
Athy - - - -	The Sovereign, Bailiffs, Free Burgesses and Commonalty of the Borough of Athy.
Bandon - - -	The Provost, Free Burgesses and Commonalty of the Borough of Bandon Bridge.
Bangor - - -	The Provost, Free Burgesses and Commonalty of the Borough of Bangor.
Belfast - - -	The Sovereign, Free Burgesses and Commonalty of the Borough of Belfast.
Belturbet - -	The Provost, Free Burgesses and Commonalty of the Borough of Belturbet.
Boyle - - - -	The Borough Master, Free Burgesses and Commonalty of the Borough of Boyle.
Callan - - -	The Sovereign, Burgesses and Freemen of Callan.
Carlow - - -	The Sovereign, Free Burgesses and Commonalty of the Borough of Catherlagh.
Cashel - - -	The Mayor, Aldermen, Bailiffs, Citizens and Commons of the City of Cashel.
Charleville -	The Sovereign, Bailiffs and Burgesses of the Borough of Charleville.

Schedule (A.)—*continued.*

BOROUGH.	STYLE OF CORPORATE BODY.
Clognakilty -	The Sovereign, Free Burgesses and Commonalty of the Borough of Clognakilty.
Clonmel -	The Mayor, Free Burgesses and Commonalty of the Town of Clonmel.
Coleraine -	The Mayor, Aldermen and Burgesses of the Town of Coleraine.
Dingle -	The Sovereign, Burgesses and Commonalty of the Town of Dingle-i-Couch.
Dundalk -	The Bailiff, Burgesses and Commonalty of the Borough of Dundalk.
Dungannon -	The Provost, Free Burgesses and Commons of the Borough of Dungannon.
Ennis -	The Provost, Free Burgesses and Commonalty of the Town of Ennis.
Enniscorthy -	The Portreeve, Free Burgesses and Commonalty of the Borough of Enniscorthy.
Enniskillen -	The Portreeve, Free Burgesses and Commonalty of the Borough of Enniskillen.
Fethard -	The Sovereign, Chief Burgesses, Portreeve and Freemen of the Town of Fethard.
Gorey -	The Sovereign, Burgesses and Free Commons of the Borough and Town of Newborough.
Kells -	The Sovereign, Provosts, Burgesses and Commonalty of the Borough of Kells.
Kinsale -	The Sovereign, Burgesses and Commonalty of the Town of Kinsale.
Longford -	The Sovereign, Bailiffs and Burgesses of the Borough of Longford.
Maryborough -	The Burgomaster, Bailiffs, Burgesses and Commonalty of Maryborough.
Monaghan -	The Provost, Free Burgesses and Commonalty of the Borough of Monaghan.
Naas -	The Sovereign, Provost, Burgesses and Commonalty of Naas.
Navan -	The Portreeve, Burgesses and Freemen of the Town or Borough of Navan.
New Ross -	The Sovereign and Burgesses of New Ross.
Portarlington -	The Sovereign, Bailiffs and Burgesses of the Borough and Town of Portarlington.
Sligo -	The Provost, Free Burgesses and Commonalty of the Borough of Sligo.
Strabane -	The Provost, Free Burgesses and Commonalty of the Town of Strabane.
Tralee -	The Provost, Free Burgesses and Commonalty of the Borough of Tralee.
Trim -	The Portreeve, Burgesses and Freemen of Trim.
Tuam -	The Sovereign, Free Burgesses and Commonalty of the Borough of Tuam.
Wexford -	The Mayor, Bailiffs, Free Burgesses and Commonalty of the Town or Borough of Wexford.
Wicklow -	The Portreeve, Free Burgesses and Commonalty of the Borough of Wicklow.
Youghal -	The Mayor, Bailiffs, Burgesses and Commonalty of the Town of Youghal.

SCHEDULE (B.)

BOROUGH not to be divided into Wards.

CARRICKFERGUS.

SCHEDULE (C.)

SECTION I.

Armagh	-	The Sovereign, Free Burgesses and Commonalty of the Borough of Armagh.
Athlone	-	The Sovereign, Bailiffs, Burgesses and Freemen of the Town of Athlone.
Bandon	-	The Provost, Free Burgesses and Commonalty of the Borough of Bandon Bridge.
Carlow	-	The Sovereign, Free Burgesses and Commonalty of the Borough of Catherlagh.
Carrickfergus	-	The Mayor, Sheriff, Burgesses and Commonalty of the Town of Carrickfergus.
Cashel	-	The Mayor, Aldermen, Bailiffs, Citizens and Commons of the City of Cashel.
Coleraine	-	The Mayor, Aldermen and Burgesses of the Town of Coleraine.
Dundalk	-	The Bailiff, Burgesses and Commonalty of the Borough of Dundalk.
Dungannon	-	The Povost, Free Burgesses and Commons of the Borough of Dungannon.
Ennis	-	The Provost, Free Burgesses and Commonalty of the Town of Ennis.
Enniskillen	-	The Portreeve, Free Burgesses and Commonalty of the Borough of Enniskillen.
Kinsale	-	The Sovereign, Burgesses and Commonalty of the Town of Kinsale.
Naas	-	The Sovereign, Provost, Burgesses and Commonalty of Naas.
New Ross	-	The Sovereign and Burgesses of New Ross.
Portarlington	-	The Sovereign, Bailiffs and Burgesses of the Borough and Town of Portarlington.
Strabane	-	The Provost, Free Burgesses and Commonalty of the Town of Strabane.
Tralee	-	The Provost, Free Burgesses and Commonalty of the Borough of Tralee.
Tuam	-	The Sovereign, Free Burgesses and Commonalty of the Borough of Tuam.
Wexford	-	The Mayor, Bailiffs, Free Burgesses and Commonalty of the Town or Borough of Wexford.
Wicklow	-	The Portreeve, Free Burgesses and Commonalty of the Borough of Wicklow.
Youghal	-	The Mayor, Bailiffs, Burgesses and Commonalty of the Town of Youghal.

SECTION II.

Ardee	-	The Portreeve, Burgesses and Commons of the Corporation of Atherdee.
Athy	-	The Sovereigns, Bailiffs, Free Burgesses and Commonalty of the Borough of Athy.
Bangor	-	The Provost, Free Burgesses and Commonalty of the Borough of Bangor.
Belturbet	-	The Provost, Free Burgesses and Commonalty of the Borough of Belturbet.
Boyle	-	The Borough Master, Free Burgesses and Commonalty of the Borough of Boyle.
Callan	-	The Sovereign, Burgesses and Freemen of Callan.
Charleville	-	The Sovereign, Bailiffs and Burgesses of the Borough of Charleville.
Cloghnakilty	-	The Sovereign, Free Burgesses and Commonalty of the Borough of Cloghnakilty.
Dingle	-	The Sovereign, Burgesses and Commonalty of the Town of Dingle-i-Couch.
Enniscorthy	-	The Portreeve, Free Burgesses and Commonalty of the Borough of Enniscorthy.
Feathard	-	The Sovereign, Chief Burgesses, Portreeve and Freemen of the Town of Fithard.
Gorey	-	The Sovereign, Burgesses and Free Commons of the Borough and Town of Newborough.
Kells	-	The Sovereign, Provosts, Burgesses and Commonalty of the Borough of Kells.
Longford	-	The Sovereign, Bailiffs and Burgesses of the Borough of Longford.
Maryborough	-	The Burgomaster, Bailiffs, Burgesses and Commonalty of Maryborough.
Monaghan	-	The Provost, Free Burgesses and Commonalty of the Borough of Monaghan.
Navan	-	The Portreeve, Burgesses and Freemen of the Town or Borough of Navan.
Trim	-	The Portreeve, Burgesses and Freemen of Trim.

SCHEDULE (D.)

No. 1.

THE LIST OF BURGESSES of the Borough of
[or in the Parish or Precinct or Ward of
Borough of] in the

Christian Name and Surname of each Person at full length.	Street, Lane or other Place in this Borough, [or Parish, Precinct or Ward in this Borough,] where the Property in respect whereof the Party is to be enrolled is situate.
Andrews, Peter - - - -	No. 1, Green-street.
Brady, Thomas - - - -	No. 3, White's-lane.
Dated the day of in the year	(signed) A. B. Churchwarden of the said Parish [or, Town Clerk of the said Borough, or Alderman of the said Ward, &c.]

No. 2.

NOTICE OF CLAIM.

To the Town Clerk of the Borough of
I HEREBY give you Notice, That I claim to have my Name enrolled in the Burgess Roll
of the Borough of , and that I occupy [here describe the House, Ware-
house, Counting-house or Shop then occupied by the Claimant,] in the said Borough, of
the full yearly value of Pounds or upwards, and that I have occupied the said
Premises [or the said Premises or other Premises, describing such other Premises, within
the said Borough,] for the space of last past.
Dated the day of in the year
(signed) Henry Stiles.

No. 3.

NATURE OF OBJECTION.

To the Town Clerk of the Borough of
I HEREBY give you Notice, That I object to the Name of Thomas Brady of White's-lane
in this Borough [describe the person objected to as described in the List of the Church-
wardens, Town Clerk or Alderman of the Ward, &c.] being retained on the Burgess Roll of
the Borough of
Dated the day of in the year
(signed) Michael Mears, of [here state the Place of Abode and
Property in respect of which he
is said to be entitled to be en-
rolled in the List of the Church-
wardens, Town Clerk or Alder-
man of the Ward, &c.]

No. 4.

LIST OF CLAIMANTS.

THE following Persons claim to have their Names inserted on the Burgess Roll of the Borough of

Christian Name and Surname of each Claimant.	Present Occupancy.	Former Occupancy, as stated in the Claim.
Henry Stiles - - -	- - House, No. 16, Capel-street.	- - Shop, No. 17, Henry-street, during the last month, and House, No. 6, Aston's Quay, during the five preceding months.

Dated the _____ day of _____ in the year _____

(signed) A. B., Town Clerk.

No. 5.

LIST OF PERSONS OBJECTED TO.

THE following Persons have been objected to as not being entitled to have their Names retained on the Burgess Roll of the Borough of

Christian Name and Surname of each. Person objected to.	Property in respect of which he is said to be entitled to be enrolled in the List of the Churchwardens, Town Clerk or Alderman of the Ward, &c.
Thomas Brady - - - -	- No. 3, White's-lane.

Dated the _____ day of _____, 19____, in the year _____
(signed) _____ A. B., Town Clerk.

SCHEDULE (E.)

BELFAST - -- An Act for paving, cleansing and lighting and improving the several Streets, Squares, Lanes and Passages within the Town of Belfast, in the County of Antrim, and for removing and preventing all Encroachments, Obstructions and Annoyances therein; and also for establishing and maintaining a Nightly Watch throughout the said Town and Precincts thereof, and for other Purposes.
[40 Geo. 3, c. 37.]
-- An Act to explain and amend an Act of his present Majesty, for paving, cleansing, lighting and otherwise improving the Town of Belfast, in the County of Antrim, and for better effecting those Purposes.
[56 Geo. 3, c. 57.]

CORK - - -	-- An Act for the Regulation of the City of Cork, and for other Purposes therein mentioned relative to the said City. [12 Geo. 3, c. 18.] -- An Act for the better Regulation of the Police of the City of Cork, and for other Purposes relative to the said City. [17 & 18 Geo. 3, c. 38.] -- An Act for the more equal Assessment of Money presented to be raised by the Grand Jury of the County of the City of Cork, and for a new Valuation of the said City and Survey of the Liberties thereof; and for other Purposes relative to Grand Juries. [53 Geo. 3, c. 111.] -- An Act to explain and amend an Act of his present Majesty, for the more equal Assessment of Money presented to be raised by the Grand Jury of the County of the City of Cork, and for a new Valuation of the said City and Survey of the Liberties thereof; and for other Purposes relative to Grand Juries. [55 Geo. 3, c. 82.]
DROGHEDA - -	-- An Act for the better regulating the Parish Watches, and amending the Highways in this Kingdom, and for preventing the Misapplication of Public Money. [6 Geo. 1, c. 10.] -- An Act for continuing and amending an Act, intituled, "An Act for the better regulating the Parish Watches, and amending the Highways in this Kingdom, and for preventing the Misapplication of Public Money;" and also for establishing a regular Watch in the City of Dublin; and to prevent Mischiefs which may happen by graving Ships in the River Liffey. [10 Geo. 1, c. 3.] -- An Act for continuing and amending an Act, intituled, "An Act for the better regulating the Parish Watches, and amending Highways in this Kingdom, and for preventing the Misapplication of Public Money; and also for establishing a regular Watch in the City of Dublin; and to prevent Mischief which may happen by graving in the River Liffey;" and also for regulating the Watch in the Town of Drogheda. [5 Geo. 3, c. 22.]
LIMERICK - -	-- An Act for paving, cleansing, lighting and watching the Parish of St. Michael, in the Liberties of the City of Limerick, and adjoining the said City, and for preventing and removing Nuisances therein. [47 Geo. 3, sess. 2, c. 75.] -- An Act for altering and enlarging the Powers of an Act of his present Majesty, for paving, cleansing, lighting and watching the Parish of St. Michael, in the Liberties of the City of Limerick and adjoining the said City, and for preventing and removing Nuisances therein. [51 Geo. 3, c. 104.]
LONDONDERRY	-- An Act for building a Bridge over the River Lough Foyle, at the City of Londonderry and the Suburbs thereof, and for certain Regulations relative to said City. [30 Geo. 3, c. 31.] -- An Act for amending an Act passed in the Thirtieth Year of his Majesty's Reign, intituled, "An Act for building a Bridge over Lough Foyle, at the City of Londonderry and the Suburbs thereof, and for certain Regulations relative to said City." [40 Geo. 3, c. 41.] -- An Act to amend Two Acts, so far as relate to supplying the City of Londonderry with Water, improving the Harbour of the said City, and the Regulation of Pilots and Vessels using the same; and for extending the Jurisdiction of the Court held in the said City for the Recovery of Small Debts. [48 Geo. 3, c. 136.] -- An Act for rebuilding or repairing a Bridge across the River Foyle or Lough Foyle at Londonderry; for enabling the Corporation of that City to raise Money for that purpose; to authorize the Advance of a certain Sum of Money out of the Consolidated Fund of Ireland; and for regulating the Fairs and Markets and improving the Race Course there. [54 Geo. 3, c. 230.] -- An Act to amend an Act of the Thirtieth Year of his late Majesty, for lighting and improving the City of Londonderry. [5 Geo. 4, c. 152.] -- An Act to amend several Acts relating to the City of Londonderry. [6 Geo. 4, c. 180.]

	-- An Act to make more effectual Provisions for lighting, cleansing and watching the City of Londonderry, and to amend several Acts relating to the said City. [2 & 3 Will. 4, c. 107.]
SLIGO - - -	-- An Act for repealing so much of an Act made in the Third Year of the Reign of King George the Second, intituled, "An Act for cleansing the Ports, Harbours and Rivers of the City of Cork, and of the Towns of Galway, Sligo, Drogheda and Belfast, and for erecting a Ballast Office in the said City and each of the said Towns, as relates to the Port and Harbour of the Town of Sligo;" and for repealing an Act made in the Fortieth Year of the Reign of his present Majesty, intituled, "An Act for paving, cleansing, lighting and improving the Streets, Quays, Lanes and Passages in the Town of Sligo, in the County of Sligo; for establishing a Nightly Watch in the said Town; for supplying the said Town with Pipe Water; and for improving and regulating the Port and Harbour thereof, and for making better Provision for the paving, lighting, watching, cleansing and improving of the said Town of Sligo; and for regulating the Porters and Carmen employed therein; and for the better Regulation and Improvement of the Port and Harbour thereof." [43.Geo. 3, c. 60.]
WATERFORD -	-- An Act for better regulating the Police of the City of Waterford. [23 & 24 Geo. 3, c. 52.]

SCHEDULE (F.)

No. 1.

FORM of PROCESS of ATTACHMENT of GOODS in COURT of RECORD.

Borough of L. to wit. A. B., of, &c., in, &c. [Name, Residence, and Addition of Plaintiff.] Plaintiff. C. D., of, &c., in, &c. [Name, Residence, and Addition of Defendant.] Defendant.	}	ATTACH the Defendant by his Goods and Chattels, if found within the jurisdiction of this Court, so that he be before the Recorder of the said Borough at _____ on _____ day, the _____ day of _____ next after the date hereof, to answer the Plaintiff's Suit in an Action for the sum of [here insert the amount of the demand], for [here insert the cause of Action]; and have you then there this Writ.
--	---	---

Dated this _____ day of _____ One thousand eight hundred _____

To _____

G. H., Registrar.

No. 2.

FORM of SUMMONS in COURT of CONSCIENCE.

Borough of L. to wit. A. B., of, &c., in, &c. [Name, Residence, and Addition of Plaintiff.] Plaintiff. C. D., of, &c., in, &c. [Name, Residence, and Addition of Defendant.] Defendant.	}	By the Judge of the Court of Conscience for the said Borough: The Defendant is hereby required personally to appear before the said Judge at on day, the day of next after the date hereof, to answer the Plaintiff's Suit for the sum of [here insert the amount of the debt], for [here insert the particulars of the demand]. On default thereof the said Judge will proceed as to justice shall appertain.
--	---	---

Dated this day of One thousand eight hundred

Signed on behalf of the Plaintiff, }

A

B I L L,

INTITULED,

AN ACT for the Regulation of Municipal
Corporations and Borough Towns in
Ireland.

*[As returned by The Commons to The Lords on the 17th
June 1836, the Amendments made by The Commons to
the Amendments made by The Lords being incorporated
in the several Clauses of the Bill.]*

*Ordered, by The House of Commons, to be Re-printed,
16 July 1838.*

[Price 1s.]

286



(Ireland.)

A

B I L L

[WITH THE AMENDMENTS MADE BY THE LORDS]

INTITULED,

AN ACT for the Regulation of Municipal Corporations and Borough Towns in Ireland.

[*Note.*—The Figures in the Margin denote the Number of Presses in the Ingrossment.]

[*N.B.*—The Words and Clauses printed in *Italics* were added by The Lords, and the Words and Clauses printed beneath a *Black Line* were left out by The Lords.]

1

WH~~EREAS~~ divers Bodies Corporate at sundry times have been constituted within the Cities, Towns and Boroughs of Ireland, to the intent that the same might for ever be and remain well regulated and quietly governed; and it is expedient that the Charters by which several of the said Bodies Corporate are constituted should be altered in the manner hereinafter mentioned; ~~BE it therefore Enacted~~, by The QUEEN's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT so much of all Laws, Statutes and usages, and so much of all Royal and other Charters, Grants and Letters Patent, rules, orders and directions now in force relating to the several Boroughs named in the Schedules (A.) and (B.) to this Act annexed, or to the inhabitants thereof, or to the several Bodies or reputed or late Bodies Corporate named in the said Schedules, or any of them, as is inconsistent with or contrary to the provisions of this Act, shall be and the same is hereby repealed and annulled.

Preamble.

2

And be it Enacted, That every person who now is or hereafter may be an inhabitant of any Borough *named in the said Schedules (A.) and (B.)*, and also every person who has been admitted or who

1.
Repeal of all Acts, Charters and Customs inconsistent with this Act.

2.
Reservation of all Rights of Property and beneficial Exemptions

to Freeman,
their Wives
and Children.

might hereafter have been admitted a Freeman or Burgess of any *such* Borough, if this Act had not been passed, *otherwise than by Gift or Purchase*, or who now is or hereafter may be the wife or widow or son or daughter of any Freeman or Burgess, *or of any person who might have been admitted a Freeman or Burgess of any such Borough as aforesaid*, or who may have espoused or may hereafter espouse the daughter or widow of any *such* Freeman or Burgess, *or of any such person as last aforesaid*, or who has been or may hereafter be bound an apprentice *to any such Freeman or Burgess or any such person as last aforesaid*, shall have and enjoy and be entitled to acquire and enjoy the same share and benefit of the lands, tenements and hereditaments, and of the rents and profits thereof, and of the common lands and public stock of any *such* Borough or Body Corporate, and of any lands, tenements and hereditaments, and any sum or sums of money, chattels, securities for money, or other personal estate of which any person or any Body Corporate may be seised or possessed, in whole or in part, for any charitable uses or trusts, as fully and effectually, and for such time and in such manner as he or she, by any statute, charter, bye-law or custom in force at the time of passing this Act, might or could have had, acquired or enjoyed in case this Act had not been passed : Provided always, That the total amount to be divided amongst the persons whose rights are herein reserved in this behalf shall not exceed the surplus which shall remain after payment of the interest of all lawful debts chargeable upon the real or personal estate out of which the sums so to be divided have arisen, together with the salaries of Municipal Officers and all other lawful expenses which on the Fifth day of June One thousand eight hundred and Thirty-five were defrayed out of or chargeable upon the same : Provided also, That nothing hereinbefore contained shall be construed to apply to any claim, right or title of any Burgesses or Freeman, or of any person, to any discharge or exemption from any tolls or dues levied wholly or in part by or to the use or benefit of any Borough or Body Corporate ; and that after the passing of this Act no person shall have or be entitled to claim thenceforward any discharge or exemption from any tolls or dues lawfully levied, in whole or in part, by or to the use of any Body Corporate, except as hereinafter is excepted : Provided nevertheless, That every person who on the said Fifth day of June One thousand eight hundred and Thirty-five was an inhabitant, or was *admitted*, or was entitled to be admitted, a Freeman or Burgess of any *such* Borough, or who on the said Fifth day of June was the wife or widow, son or daughter of any Freeman or Burgess of any Borough, or who on the said Fifth day of June was bound an apprentice, shall be entitled to have or acquire and enjoy the same discharge or exemption from any tolls or dues lawfully levied, in whole or in part, by or to the use of any Borough or Body Corporate, as fully and for such time

and

3

4

and in such sort as he or she by any statute, charter, bye law, or custom in force on the said Fifth day of June might or would have had, acquired, and enjoyed the same if this Act had not been passed, and no further or otherwise: Provided also, That where by any statute, charter, bye-law or custom in force within any borough at the time of passing this Act any person whose rights in this behalf are herein reserved would have been liable, in case this Act has not been passed, to pay any fine, fee or sum of money to any Body Corporate, or to any member, officer or servant of any Body Corporate, in consideration of his freedom, or of his or her title to such rights as are herein reserved, no such person shall be entitled to have or claim any share or benefit in respect of the rights herein reserved as aforesaid until he or she shall have paid the full amount of such fine, fee or sum of money *in manner following; (that is to say,) if such rights be within any Borough named in the said Schedule (A.), or in any Borough to which a Charter of Incorporation shall have been granted as herein-after is mentioned, of the Boroughs named in the said Schedule (B.) to the Treasurer of such Borough appointed under the provisions of this Act, on account of the Borough Fund herein-after mentioned; but if such rights be within any Borough named in the said Schedule (B.) to which no such Charter of Incorporation shall have been granted, every such person shall be entitled to have or claim such share or benefit without payment of any fine, fee or sum of money:* Provided also, That nothing in this Act contained shall be construed to entitle any person to any share or benefit of the rights herein reserved who shall not have first fulfilled every condition which if this Act had not passed would have been a condition precedent to his or her being entitled to the benefit of such rights, so far as the same is capable of being fulfilled, according to the provisions of this Act, or to strengthen, confirm or affect any claim, right or title of any Burgesses or Freemen of any Borough or Body Corporate, or of any person, to the benefit of any such rights as are herein-before reserved, but the same in every case may be brought in question, impeached and set aside in like manner as if this Act had not been passed.

And be it Enacted, That from and after the passing of this Act no person shall be elected, made or admitted a Burgess or Freeman of any *such* Borough as aforesaid by gift or purchase.

3.
No person to be admitted a Freeman by Gift or Purchase.

AND whereas the right of voting in the election of Members to serve in Parliament was by an Act passed in the second and third years of the reign of his late Majesty, intituled, "An Act to amend the Representation of the People of Ireland," preserved to all Freemen, Freeholders and persons who by reason of any Corporate or other right were then by law entitled to vote at the election of a Member or Members

4.
CLAUSE (A.)
Persons who before the passing of the Act were entitled to vote for Members of Parliament may still enjoy that right.

to serve in Parliament for any City, Town or Borough, and all persons who, by reason of birth, marriage or service, or of any statute then in force, should be at any time thereafter admitted to their Freedom in any City, Town or Borough, subject to the conditions and provisions in that Act contained; BE it Enacted, That all persons now entitled to vote at the election of a Member or Members to serve in Parliament for any City, Town or Borough shall continue to enjoy such right as fully as if this Act had not been passed; and that every person who, if this Act had not been passed, would have had a right to be admitted a Freeman, or to be placed on the roll of Freemen of any such Borough as aforesaid, in order to be registered, and to vote in the election of a Member or Members to serve in Parliament, or might hereafter have been entitled to acquire in respect of birth, or marriage, or servitude, or of any statute then in force, as a Freeman, the right of voting in the election of a Member or Members to serve in Parliament for such Borough, shall be entitled, if such Borough be one of the Boroughs named in the said Schedule (A.), or one of the Boroughs to which a Charter of Incorporation shall have been granted, as hereinafter is mentioned, to be admitted a Freeman and placed on the roll of Freemen of such Borough, and to acquire and enjoy such right of voting as fully as if this Act had not been passed; and if such Borough be one of the Boroughs named in the said Schedule (B.) to which no such Charter of Incorporation as aforesaid shall have been granted, to acquire and enjoy, without having been admitted a Freeman, such right of voting as fully as if this Act had not been passed, and he had been admitted a Freeman.

5.
Corporations
to be styled
Mayor, Alder-
men and
Burgesses.

And be it Enacted, That after the first election of Councillors under this Act in any Borough, *named in the said Schedule*⁽¹⁾ (A.) the Body or reputed or late Body Corporate named in the said *Schedule* in connexion with such Borough, ⁽²⁾ shall take and bear the name of the Mayor, Aldermen and Burgesses of such Borough, except the Corporation of Dublin, which shall bear the name of the Right Honourable the Lord Mayor, Aldermen and Burgesses of Dublin, and by those names shall have perpetual succession, and shall be capable in law, by the Council hereinafter named of such Borough, to do and suffer all acts which such Bodies Corporate lawfully may do and suffer, and shall be entitled to, invested with and possessed of all the lawful rights, trusts, *powers, authorities*, properties and estates now or of late legally vested in or belonging or which of right ought to belong to such Boroughs or Bodies Corporate respectively, solely or jointly with any other person or Body Corporate,

save

⁽¹⁾ Schedules

⁽²⁾ or if there be no such Body Corporate, the Inhabitants of such Borough, qualified as hereinafter mentioned,

save only and except those ⁽¹⁾ *subject to any* charitable ⁽²⁾ *uses or trusts, and those in respect of which other* provisions are hereinafter contained; and the Mayor of each of the said Boroughs shall be capable in law to do and suffer all acts which the chief officer of such Borough might or may lawfully do and suffer, so far as such powers, rights, trusts and privileges respectively are not altered or annulled by the provisions of this Act.

(³)

And be it Enacted, That every Borough in the said Schedule (A.) shall be divided into the number of Wards mentioned in such Schedule in conjunction with the name of such Borough, and that the limits and boundaries of the several Boroughs named in the said Schedule (A.) and of the Wards into which the said Boroughs named in the said Schedule (A.) are to be divided, shall, for the purposes of this Act, be taken and held to be according to the description and specification of such limits and boundaries set forth and contained in Schedule (C.) to this Act annexed, and all the houses, lands and hereditaments within the boundaries therein

6.
CLAUSE (B.)
Boundaries
of Boroughs
and Towns.

(¹) vested in the

(²) Trustees of such Boroughs, pursuant to the

(³) And be it Enacted, That the several Boroughs named in the Schedules to this Act annexed, shall for the purposes of this Act include the place or places, and none other, which shall be comprehended within the boundaries of each of the said Boroughs respectively as such boundaries shall be settled by any Act to be passed for that purpose in this present Parliament, which Act, when passed, shall be deemed and taken to be part of this Act, as fully and effectually as if the same were incorporated herewith: Provided always, That until the passing of the said last-mentioned Act, and in default thereof, the Metes and Bounds of the several Boroughs named in the said Schedule (A.) and in the first section of the said Schedule (B.), from and after the time when this Act shall come into operation in each of the said Boroughs respectively, shall, for the purposes of this Act, be the same as the limits thereof respectively settled and described in an Act passed in the second and third years of the reign of his late Majesty, intituled, "An Act to settle and describe the Limits of Cities, Towns, and Boroughs in Ireland, in so far as respects the Election of Members to serve in Parliament;" and the metes and bounds of the several Boroughs named in the second section of the said Schedule (B.) shall for the purposes of this Act be and remain as the same are now taken to be by virtue of any charter or usage.

5.

8

therein specified shall hereafter for the purposes of this Act be parts of the said Boroughs: Provided always, That the following rules shall be observed in the construction of the several descriptions of boundaries contained in the said Schedule (C.) hereunto annexed; (that is to say)

Rules for the construction of the Descriptions contained in the Schedule (C.)

- 1.—That the words “Northward,” “Southward,” “Eastward,” “Westward,” shall respectively be understood to denote only the general direction in which any boundary proceeds from the point last described, and not that such boundary shall continue to proceed throughout in the same direction to the point next described:
- 2.—That when any road is mentioned merely by the name of the place to which such road leads, the principal road thither from the Borough of which the boundary is in course of description shall be understood:
- 3.—That whenever a line is said to be drawn from, to, through or in the direction of any distance to be measured from or to an object, such line shall, in the absence of any direction to the contrary, be understood to be drawn from, to, through, or in the direction of, or such distance to be measured from or to the centre of such object, as nearly as the centre thereof can be ascertained:
- 4.—That every building through which or through any part whereof any boundary hereby established shall pass shall be considered as within such boundary:
- 5.—That whenever any boundary by this Act established is said to pass along any other boundary, or along any street, road, lane, path, river, stream, canal, drain, brook or ditch, the middle (as near as the same can be ascertained) of such other boundary, or of such road, lane, path, river, stream, canal, drain, brook, or ditch, shall, in the absence of any direction to the contrary, be understood:
- 6.—That the middle of any street, road or lane shall be understood as the middle of the carriage-way along the same:
- 7.—That when any boundary by this Act established is said to proceed or any distance to be measured, along a street, road, lane, path, stream, river, canal or drain, from or to any object, such boundary shall be understood to proceed, or such distance to be measured, (as the case may be,) from or to that point in the middle of such road, lane, path, river, stream, canal or drain from which the shortest line would be drawn to the centre of such object as nearly as the centre thereof can be ascertained:
- 8.—That the point at which any fence, hedge, wall, boundary, street, road, lane, walk, path, river, stream, canal, drain, brook or ditch

ditch is said to cut, meet, join, cross, reach or leave any boundary, street, road, lane, path, wall, walk, river, stream, canal, drain, brook or ditch, shall, in the absence of any direction to the contrary, be understood as that point at which a line passing along the middle of the boundary, street, road, lane, path, wall, walk, river, stream, canal, drain, brook or ditch, so cut, met, joined, crossed, reached or left would be intersected by a line drawn along the middle of the fence, hedge, wall, boundary, street, road, lane, walk, path, river, stream, canal, drain, brook or ditch, so cutting, meeting, joining, crossing, reaching or leaving, if such line were prolonged sufficiently far :

9.—That when a line is said to be drawn to a road, lane, river, stream or canal, such line shall, in the absence of any direction to the contrary, be considered as prolonged to the middle of such road, lane, river, stream, or canal:

10.—That by the words “ Sea” and “ Sea Coast” shall be understood the low-water mark:

11.—That if any deficiency shall be found to exist in the line of any boundary described in the said Schedule to this Act annexed, by reason of the intervention of any space between any two immediately consecutive points, such deficiency shall be supplied by a straight line to be drawn from the one to the other of such two immediately consecutive points.

And be it Enacted, That all places locally situate or included within the boundaries of any Borough or of any Ward thereof, as defined under this Act, shall for the purposes of this Act only be deemed and taken to be a part or parts of such Borough or of such Ward thereof respectively; and in those Boroughs which are Counties of themselves shall be part of such County and of none other; and in every case in which the metes and bounds of any Borough or County under the provisions of this Act, shall not include any place or precinct which before the passing of this Act was part of such Borough or County, such place or precinct shall thenceforward be taken to be part of the County wherein such place or precinct is situated, or with which it has the longest common boundary: Provided nevertheless, That if any such place or precinct shall have been liable before the passing of this Act to contribute to any rate made for the purpose of satisfying any lawful debt to which the rate-payers of such Borough or County were liable to contribute before the passing of this Act; and in case any difference shall arise concerning the proportion of such debt which ought therefore to be paid and contributed in respect of such place or precinct, it shall be lawful for the Chief Justice of Her Majesty's Court of Queen's Bench in Dublin, in the case of the County of Dublin, and the County of the City of Dublin, and in the case of any other County, for the senior

7.

CLAUSE (C.)
Places only
included
within the
Boundaries
for the pur-
poses of this
Act.

Parts cut off
from the
Borough to be
declared part
of the adjoining
County.

Justice of Assize for the County of which such place or precinct shall thenceforward be taken to be part on his circuit, on the application of the Council of such Borough, or of the Chairman of a public meeting of the rate-payers of such place or precinct to appoint, by writing under his hand, a Barrister not having any interest in the question, to arbitrate between the parties, and by his award, under his hand and seal, to assess the proportion, if any, of such debt which ought therefore to be paid and contributed in respect of such place or precinct; and such arbitrator shall also assess the costs of the arbitration, and shall direct by whom and in what proportion, and out of what fund, the same shall be paid; and such rate as aforesaid shall continue to be levied by warrant of the Council of such Borough, and paid by such place or precinct as if this Act had not passed, until such proportion shall have been fully paid and satisfied to the Treasurer of the Borough and no longer: Provided nevertheless, That every County Gaol, House of Correction or Lunatic Asylum, or Court of Justice, which at the time of the passing of this Act is taken to be for any purpose within any County, shall still for all such purposes be taken to be within such County, any thing herein contained to the contrary notwithstanding: Provided also, That the jurisdiction of the several Courts of the Boroughs named in the said Schedule (A.) shall remain and extend to all places within the limits and boundaries of such Boroughs and the liberties thereof as they are at present constituted, or are now taken to be, by virtue of any charter or usage, any thing herein contained to the contrary thereof in anywise notwithstanding.

8.

CLAUSE (D.)
Misnomer or
Misdescription
not to
abridge
operation of
this Act, and
description
to relate to
1st March
1836.

Provided always, and be it Enacted, That no misnomer or inaccurate description contained in this Act, or in the Schedule (C.) hereto annexed, shall in anywise prevent or abridge the operation of this Act, with respect to the subject of such description, provided the same shall be designated so as to be commonly understood; and that for the purpose of identifying the descriptions contained in the said Schedule with the subject of such descriptions respectively, such descriptions shall, if such construction should be necessary, be held to apply to such subjects as they existed on the First day of March One thousand eight hundred and Thirty-six.

9.

CLAUSE (E.)
Mayor to
set up Boundary
Marks
within Six
Months after
the first
Election
under this
Act.

AND whereas it is expedient that the metes and bounds of the several Boroughs, and of the several Wards into which the same are by this Act respectively divided, as described in the Schedule (C.) to this Act annexed, should be constantly maintained, and that the same should be generally known; BE it Enacted, by the authority aforesaid, That the Mayor of each of the said Boroughs respectively, within Six calendar Months after the first election of Municipal Officers to be held under this Act, shall cause to be set up, at the expense of the Body Corporate

Corporate of which he is Mayor, permanent and conspicuous boundary marks of iron, wood, stone or other durable material, in exact conformity with, or as near as circumstances will admit, to the respective metes and bounds of such Boroughs and the several Wards thereof specified in the Schedule (C.) to this Act annexed, and in the most public and convenient places along or near the line of such metes and bounds; and further, within the period of Six calendar Months after the expiration of every successive period of Three Years after the first election of Municipal Officers to be held under this Act, a circuit of perambulation of the metes and bounds of such Boroughs respectively, and of the several Wards into which the same are by this Act respectively divided, as settled and described in the said Schedule (C.) to this Act annexed, shall be made by the Mayor for the time being of such Borough respectively, accompanied by the Town Clerk thereof; and the Town Clerk shall, at the time of making such perambulation, inquire whether the name or names whereby the same metes and bounds or any part thereof are or is described in the said Schedule (C.) to this Act annexed have or has been changed, and by what name or description the same are or is there commonly known and distinguished, and if any change in the description thereof shall have taken place shall note the same in a book to be kept by him for that purpose, and to be called the "Boundary Book" of such Borough; and the Mayor is hereby required, in the event of any such boundary mark or marks as aforesaid being obliterated or defaced, to cause the same to be renewed at the expense of the Body Corporate, within Three calendar Months next after such perambulation as aforesaid.

and with the Town Clerk to perambulate the Boundaries once in every Three Years thereafter.

Town Clerk to enter in a Book to be kept for that purpose any change in the name or description of the Boundaries.

Mayor to replace any Boundary Marks effaced or destroyed.

And be it Enacted, That if any such Mayor or Town Clerk shall neglect to perform the duties hereinbefore described, such Mayor or Town Clerk shall forfeit the sum of Twenty Pounds to Her Majesty, to be recovered by action in any one of the Superior Courts at Dublin, or by civil bill in any Court of Record having jurisdiction within such Borough respectively.

10.
CLAUSE (F.)
Mayor or Town Clerk neglecting, to forfeit 20 l

And be it Enacted, That if any person or persons shall wilfully or maliciously pull down, deface, obliterate, injure, conceal or destroy any such boundary marks as aforesaid, such person or persons shall for every such offence forfeit and pay, in addition to the value of such boundary mark or marks as aforesaid, any sum not exceeding Forty Shillings, to be recovered, paid and levied according to the provisions in this Act contained relative to offences against this Act punishable upon summary conviction.

11.
CLAUSE (G.)
Penalty for defacing or injuring, &c. Boundary Marks; the value thereof, and any sum not exceeding 40s. for each offence, to be recovered as other Penalties under th Act.

And be it Enacted, That the several Wards into which the several Boroughs in the Schedule (C.) to this Act annexed mentioned are by this

12.
CLAUSE (H.)
Wards to be denominated by the names

in the
Schedules.

Act respectively divided shall henceforth be denominated and distinguished by the name and names by which in such Schedule such wards are specified and described in conjunction with the names of such Boroughs respectively, and by no other name or names.

13.
Occupiers of
Houses and
Shops of the
value of 10 £.
to be ascer-
tained by
Rating,
entitled to be
Burgesses, if
resident
within Seven
Miles.

And be it Enacted, That after this Act shall have come into operation in any Borough named in the said *Schedule* ⁽¹⁾ (*A.*), every man of full age, who on the last day of *August* in any year shall be an inhabitant householder, and shall for Six calendar Months previous thereto have been resident *as such* within such Borough, or within Seven statute Miles of such Borough, and who shall ⁽²⁾ occupy within such Borough any house, warehouse, counting-house, office, or shop, which either separately, or jointly with any land within such Borough occupied therewith by him as tenant, or occupied therewith by him as owner, shall be ⁽³⁾ *of the yearly value of not less than Ten Pounds to be ascertained and determined as hereinafter mentioned*, shall, if duly enrolled according to the provisions hereinafter contained, be a Burgess of such Borough, and a member of the Body Corporate of the Mayor, Aldermen and Burgesses of such Borough; and such yearly value shall be ascertained and determined in manner following, and not otherwise; (that is to say), such value shall be a sum composed of the net annual value at which the premises so occupied by such man shall be rated (as they are hereby required to be) to the relief of the poor under an Act passed in the present Session of Parliament, and of the amount of the sums at which the landlord's repairs and the landlord's insurance shall be estimated and stated in any rate to be made in pursuance of the said Act: Provided always, That no such occupier shall be admitted to be enrolled under this Act unless he shall have occupied such premises within said Borough, or other premises of the like nature within the said Borough, and rated as aforesaid, for the space of ⁽⁴⁾ *Twelve* calendar Months at the least next preceding such ⁽⁵⁾ *last day of August*; nor unless such occupier shall, on or before the last day of August in such year, have paid or discharged all rates for the relief of the poor, and all municipal

⁽¹⁾ Schedules

⁽²⁾ hold and

⁽³⁾ rated to the relief of the poor as of the net annual value of five pounds or upwards; (that is to say), as being hereditaments which in their actual state may be reasonably expected to let from year to year at Five Pounds or upwards, all rates, taxes and public charges, if any, (except tithes, composition for tithes, or Minister's money), and the probable annual average cost of the repairs, insurance and other expenses (if any) necessary to maintain them in their actual state, being paid by the tenant,

⁽⁴⁾ Six

⁽⁵⁾ enrolment

cipal or other local cesses, and all rates and taxes ⁽¹⁾ which shall have become ⁽²⁾ payable by him in respect of such premises, except such as shall have been imposed or become ⁽³⁾ payable within Three calendar Months next before such ⁽⁴⁾ last day of August : Provided also, That no person being an alien shall be so enrolled, ⁽⁵⁾ and that no person shall be enrolled who within Twelve calendar Months next before the said last day of August shall have received relief by order of any Board of Guardians or of any paid officer to be appointed by virtue of the said Act for the relief of the poor, or any pension or charitable allowance from any fund intrusted to the charitable Trustees of such Borough hereinafter mentioned, other than medical or surgical assistance ; but no person shall be disqualified from being enrolled as a Burgess by reason that any child of such person shall have been admitted and taught within any public or endowed school.

11 And be it Enacted, That where any premises as aforesaid in any Borough named in the said Schedule (A.) shall be jointly occupied by more persons than one as owners or tenants, each of such joint occupiers shall, subject to the conditions hereinbefore contained as to persons occupying premises in any Borough, be entitled to be enrolled as a Burgess for such Borough in respect of the premises so jointly occupied, in every case where the full yearly value of such premises shall be of an amount which, when divided by the number of such occupiers, shall give for each occupier a sum not less than the sum which would entitle such person to be enrolled if he occupied separately, but not otherwise.

14.
In cases where persons occupy Premises jointly, each person to be entitled to be enrolled as a Burgess.

And be it Enacted, That in every case provided in this Act the distance of Seven Miles shall be computed by the nearest public road or way by land or water.

15.
How distances are to be reckoned.

And be it Enacted, That where any house, warehouse, office, counting-house or shop in any Borough named in the said Schedule (A.) shall come to any person by descent, marriage, marriage settlement, devise, bequest or promotion to any benefice or office, such person shall be entitled to reckon the ⁽⁶⁾ rating and occupancy thereof by the person from or by whom such house, warehouse, office, counting-house or shop shall have so come to him as his own ⁽⁶⁾ rating and occupancy, conjointly with the time during which he shall have since ⁽⁷⁾ occupied and been rated for the same, and shall be

16.
In case of Titles by descent, &c. how the occupation is to be reckoned.

(¹) (if any) (²) legally due and (³) due (⁴) enrolment
(⁵) in any year (⁶) holding (⁷) held and

be entitled to be enrolled a Burgess in respect of such successive (1) *rating* and occupancy, provided he shall be otherwise qualified as herein provided; and it shall not be necessary, in support of the title of such person to be so enrolled, to prove that he was an inhabitant householder within the said Borough, or within Seven Miles of the said Borough, *or that he was an occupant or rated within the same*, before the (2) *title to such house or other property as aforesaid shall have devolved upon him*; and the rating in the name of the person previously occupying shall be considered a sufficient rating of the person so entitled, until a new rate shall be made subsequent to (3) *such devolution of title as aforesaid*: Provided always, That the other person in respect of whose previous occupancy and rating he shall be so partially entitled shall have been enrolled a Burgess at the time of (3) *such devolution of title as aforesaid*.

(4)

17.
No Burgess
to be elected
who is not
qualified under
this Act.

And be it Enacted, That after the passing of this Act no person shall be elected or enrolled a Burgess of any Borough for the purpose of enjoying the rights conferred for the first time by this Act in respect of any right or title other than by residence, occupancy, *rating* and payment of cesses, rates and taxes within such Borough, according to the meaning and provisions of this Act.

(5)

And

(1) holding

(2) change of occupancy

(3) the change of occupancy

17.

(4) And be it Enacted, That if any person who shall have been enrolled a Burgess of any Body Corporate within any Borough according to the provisions of this Act, shall at any time thereafter cease to hold and occupy a house, warehouse, office, counting-house or shop within the Borough, or cease to be an inhabitant householder within the same, or within Seven Miles thereof, or neglect or refuse to pay such cesses, rates and taxes as aforesaid, due from him at the time of the revision of the Burgess Roll, except as hereinbefore is excepted, his name shall at the then next revision of the Burgess Roll be struck out from the said Burgess Roll, and he shall thereupon cease to be a Burgess and member of the said Body Corporate: Provided nevertheless, That at any future revision of the Burgess Roll he shall be entitled again to be and be enrolled a Burgess and member of the said Body Corporate when he shall be duly qualified as herein provided.

12.

(5) AND whereas the right of voting in the election of Members to serve in Parliament was, by an Act passed in the Session of Parliament holden in the second and third years of the reign of his late

¹⁴ late Majesty, intituled, "An Act to amend the Representation of the People of Ireland," preserved to all freemen, freeholders, and persons who by reason of any corporate or other right were then by law entitled to vote at the election of a Member or Members to serve in Parliament for any City, Town or Borough, and all persons who by reason of birth, marriage or service, or of any statute then in force, should be at any time thereafter admitted to their freedom in any City, Town, or Borough, subject to the conditions and provisions in that Act contained; BE it Enacted, That every person who if this Act had not been passed would have been entitled to enjoy, or might hereafter have been entitled to acquire, in respect of birth or marriage or servitude, or of any statute then in force, as a freeman, the right of voting in the election of a Member or Members to serve in Parliament for any City, Town or Borough, shall be entitled to acquire and enjoy such right of voting as fully as if this Act had not been passed.

¹⁵ AND whereas it may happen that the cesses, rates and taxes, the payment of which is required by this Act are or may be, by virtue of contracts between the occupiers of such premises as are hereinbefore mentioned, and the landlords thereof, payable as between such occupiers and landlords by some person other than such occupiers: AND whereas occupiers paying such cesses, rates and taxes voluntarily to the collectors thereof, notwithstanding such contracts, would not in some cases be entitled to recover or set off such payment against the persons who ought to have paid the same on their behalf, and who omitted to pay the same; BE it Enacted, That in all cases where the occupier of any premises hereinbefore mentioned, liable to any cess, rate or tax whatsoever the payment whereof is required by this Act for the purpose of entitling him to be enrolled a Burgess as aforesaid, shall have voluntarily paid any such cess, rate or tax which shall be then due and payable, ¹⁶ such occupier shall be entitled to recover or set off the amount of such payment against the like persons and by the like means as if such payment had been made by legal compulsion.

AND whereas it is expedient to provide greater facilities for the payment of such cesses, rates and taxes as aforesaid; BE it Enacted, That after the time when this Act shall come into operation in any Borough in which the Bank of Ireland, or Provincial Bank of Ireland, or any branch thereof, shall be established, the several collectors of cesses, rates and taxes payable under any Act of Parliament now in force or hereafter to be passed in that Borough, the payment whereof is required by this Act for the purpose of entitling any person to be enrolled a Burgess as aforesaid, shall

13.

14.

18.

Churchwardens of each Parish to make out Lists in the first year of persons qualified as Burgesses in each Borough.

And be it Enacted, That on or before the Fifth day of September in the First year in which this Act shall come into operation in any Borough named in the said Schedule (A.) the Churchwardens of every Parish wholly or in part within such Borough shall make out from the assessment to be made of hereditaments within such Parish and Borough under the said Act passed in the present Session of Parliament for the Relief of the destitute Poor of Ireland, an alphabetical List, according to the Form Number 1. in the Schedule ⁽¹⁾ (D.) to this Act annexed, of all persons, with their respective residences, who shall be entitled to be enrolled in the Burgess Roll according to the Provisions of this Act, in respect of property within such Parish and Borough, and shall sign such List, and deliver the same on the said Fifth day of September to the Town Clerk, and shall keep a true copy of such List, to be perused by any person, without payment of any fee, at all reasonable hours between the said Fifth and the Fifteenth days of September aforesaid. 18

19.

CLAUSE (S.3.)
Collectors to make out Lists of persons subject to payment of Poor-rate, &c., according to Schedule (D.), No. 6 in this Act.

And be it Enacted, That the several and respective Collectors of the Poor Rates, and of all other cesses, rates and taxes payable within any Borough named in the said Schedule (A.), shall, on or before the Third day of September in every year, make out or cause to be made out, according to the Form numbered 6 in the said Schedule (D.) to this Act annexed, an Alphabetical List of all persons who shall be subject to the payment of such poor rate, cesses, rates or taxes, within the limits of such Borough, and within the collection of the person by whom or by whose direction the same shall be made out; and every such Collector shall

open accounts within one of such banks at their office in that Borough, in their respective names as such collectors, which account every such bank upon application is hereby required to open and keep; and it shall be lawful to every person liable to pay any such cess, rate or tax to pay the same, or so much thereof as he shall think fit, into the bank, to the credit of any of the said accounts; and such payments shall be deemed to have been made to the collector to whose credit it was paid; and the proper officer of the bank shall receive such payment, and give to the person making such payment a receipt signed by such officer, expressing the day and amount of such payment, the description of tax on account of which it was paid, the name of the person by whom paid, and of the collector to whose credit it was paid; which receipt shall not be liable to any stamp duty; and such receipt shall be evidence of the payment to the collector of the sum therein specified. 17

⁽¹⁾ (C.)

shall sign the list so to be made out for his collection, and shall cause a true copy of such list to be prepared, and shall keep the same to be perused by any person, without payment of any fee, at all reasonable hours during the Ten Days next after the same Third day of September; and every such Collector shall, on the same Third day of September, deliver the list so signed by him as aforesaid, to the Town Clerk of such Borough, and such Town Clerk shall forthwith cause to be printed true copies of every such list, and shall deliver one or more of such respective printed copies to any person applying for the same, on payment of a reasonable price for each copy.

And be it Enacted, That in any Borough named in the said Schedule (A.) in which there shall be no Town Clerk, or in which the Town Clerk shall be incapable of acting, all matters by this Act required to be done by or with regard to the Town Clerk shall be done by and with regard to the person executing duties in such Borough similar to those of Town Clerk; and if there be no such person, or if such person be incapable of acting, then by and with regard to such fit person as the Mayor of such Borough shall appoint in that behalf; and if there shall be no Mayor, the Lord Lieutenant shall appoint, by writing under his hand, a proper person to perform the duties required to be done by and with regard to the Town Clerk under this Act; and in extra-parochial places, and in Parishes where there is no Churchwarden, or where the Churchwarden may be absent or incapable of acting, the Lord Lieutenant shall appoint, by writing under his hand, a proper person to perform the duty of Churchwarden under this Act, and the acts of such person shall be as valid as if done by a Churchwarden.

20.

Extra-parochial Places, &c.

And be it Enacted, That on or before the Fifth day of September in every year except the first in which this Act shall come into operation in any Borough named in the said Schedule (A.) the Town Clerk of such Borough shall make out an alphabetical List according to the said Form Number 1. in the Schedule (1) (D.) to this Act annexed of all persons who shall be entitled to be enrolled in the Burgess Roll of that year within such Borough, and shall sign such List, and shall on that day deliver a true copy of such List, signed by himself, to the Mayor of such Borough, and shall himself keep such original List to be perused by any person, without payment of any fee, at all reasonable hours between the Fifth and the Fifteenth days of September in every year.

21.

Town Clerks to make out Lists in Boroughs in following years.

And

(1) (C.)

22.
Town Clerk
to print the
Lists.

And be it Enacted, That the Town Clerk shall forthwith cause copies to be printed of all Lists so delivered to him by the Church-wardens in the first year, and of all Lists made out by himself or under his direction in every succeeding year, and shall deliver a copy of all such Lists to any person requiring the same, on payment of a sum of One Shilling for each copy, and shall cause a copy of all such Lists to be fixed on or near the outer door of the Town Hall or in some public and conspicuous situation within the Borough on every day during the Eight Days next preceding the Fifteenth day of September in every year. 20

23.
Persons
omitted from
the Lists to
give Notice
to the Town
Clerk.

Notices as to
Persons not
entitled to be
retained in
the Lists.

Lists of
Claimants,
and of Persons
objected to, to
be published,
&c.

And be it Enacted, That every person whose name shall have been omitted in any such List, and who shall claim to have his name inserted on the Burgess Roll, shall, on or before the Fifteenth day of September in every year, give notice thereof to the Town Clerk in writing, according to the Form Number 2. in the said Schedule ⁽¹⁾ (D.), or to the like effect; and every person whose name shall have been inserted in any such List for any Borough may object to any other person as not being entitled to have his name retained in the Burgess Roll for the same Borough; and every person so objecting shall, on or before the Fifteenth day of September in every year, give to the Town Clerk of such Borough, and also to the person objected to, or leave at the premises, in respect of which his name shall have been inserted in such List, notice thereof in writing according to the Form number 3, in the said Schedule ⁽¹⁾ (D.), or to the like effect; and every Town Clerk shall include the names of all persons so claiming in a List according to the Form number 4, in the said Schedule ⁽¹⁾ (D.), and the names of all persons so objected to in a List according to the Form number 5, in the said Schedule ⁽¹⁾ (D.), and shall cause copies of such Lists to be fixed on or near the outer door of the Town Hall, or in some public and conspicuous situation within such Borough during the Eight days next preceding the First day of October in every year; and the Town Clerk shall likewise keep a copy of the names of all the persons so claiming as aforesaid, and also a copy of the names of all persons so objected to as aforesaid, to be perused by any person, without payment of any fee, at all reasonable hours, during the Eight days, Sunday excepted, next preceding the First day of October in every year, and shall deliver a copy of each of such Lists to any person requiring the same, on payment of a sum not exceeding One Shilling for each copy. 21

24.
Lord Lieu-
tenant may

And be it Enacted, That it shall be lawful for the Lord Lieutenant of Ireland to appoint by warrant under his hand so many Barristers of 22

of not less than Five Years' standing at the bar as he shall think fit to revise the List of Burgesses in any Borough in the first year in which this Act shall come into operation in that Borough ; and the Barrister so appointed shall, for that purpose, be in the place and stead of the Mayor and Assessors hereinafter mentioned of such City, Town or Borough, and shall revise the List of Burgesses, and have for that purpose all such powers as the Mayor or Mayors and Assessors will possess in the succeeding years.

appoint Re-
vising Barris-
ter for the
present year.

And be it Enacted, That in the first year in which this Act shall come into operation in any Borough *named in the said Schedule (A.)* the Barrister appointed as aforesaid, and in every succeeding year the Mayor and the Two Assessors ⁽¹⁾ hereinafter mentioned of the
23 Borough, shall hold an open Court within such Borough for the purpose of revising the said Lists, at some time between the First day of October inclusive and the Fifteenth day of October inclusive in every year, having first given Three clear Days' notice of the holding of such Court, to be fixed on or near the door of the Town Hall, or in some public and conspicuous situation within the Borough ; and the Town Clerk of every such Borough shall at the opening of the Court produce the said Lists before him or them, and a copy of the Lists of the persons claiming and of the persons objected to, so made out as aforesaid ; and the several Churchwardens for the present year of every parish wholly or in part within every such Borough shall attend the Court to be holden in this present year ; and such Town Clerk and Churchwardens respectively shall answer upon oath all such questions as the Court may put to them or any of them touching any matter necessary for revising the said Lists ; and the Mayor or Barrister, as the case may be, shall insert in such Lists the
24 name of every person who shall be proved to the satisfaction of the Court to be entitled to be enrolled in the Burgess Roll according to the provisions of this Act, and shall retain on the said Lists the names of all persons to whom no objection shall have been duly made and sustained ; and where the name of any person inserted in any one of the said Lists shall have been duly objected to, and the person objecting shall appear by himself or by some one on his behalf in support of such objection, the Court shall require proof of the qualification of the person so objected to ; and in case the qualification of such person shall not be proved to the satisfaction of the Court, the Mayor or Barrister, as the case may be, shall expunge the name of every such person from the said Lists ; and he shall also expunge from the said Lists the name of every person who shall be proved to be dead, and shall
correct

25.
Mayor to
revise Lists,
and upon due
proof to insert
and expunge
Names.

(¹) of the Borough

Power to
rectify mis-
takes in the
Lists.

correct any mistake or supply any omission which shall be proved to have been made in any of the said Lists in respect to the name or place of abode, or local description of the property of any person who shall be included in any such List: Provided always, That no person's name shall be inserted by the Mayor or Barrister in any such List, or shall be expunged therefrom, except in the case of death, unless notice shall have been given as is hereinbefore required in each of the said cases: Provided also, That no ground of objection shall be inquired into at any such Court other than is stated in some notice so given as aforesaid: Provided also, That the fact of the name of any person having been on the Burgess Roll of the preceding year shall be *primâ facie* evidence of his title to be enrolled for the current year.

(¹)

26.
Mayor, on
revising the
Lists, to have

And be it Enacted, That every Mayor or Barrister holding any Court under this Act for the revision of the said Lists shall have
power

22.

(¹) And be it Enacted, That if any person in any of the Boroughs named in the Schedules to this Act annexed shall claim to be entitled to be placed on the Burgess Roll thereof, and shall also claim to be exempt from the payment of any Tax, Rate or Cess payable in such Borough, the payment whereof is required to entitle a person to be placed on the Burgess Roll, it shall and may be lawful for the Barrister, or Mayor and Assessors, (whose duty it shall be, under the provisions of this Act to revise the Burgess List or Roll on which such person seeks to be placed), to inquire and determine whether such claim of exemption is a *bonâ fide* claim, or merely colourable; and if such Barrister or Mayor and Assessors shall determine that such claim is made *bonâ fide*, and is not a colourable claim, then and in every such case it shall and may be lawful for such Barrister or Mayor and Assessors, and they are respectively hereby required to place the name of such person on the Burgess List or Roll, on payment or tender of One Year's amount of such Rate, Tax or Cess to the collector thereof by such person, or on his lodging such amount to the credit of the said collector in any of the banks in manner hereinbefore provided: Provided always, That such payment, tender or lodgment shall not in any respect prejudice or affect the right of such person to exemption from the payment of any part of such Rate, Cess or Tax, or his right to recover back the sum which he shall have so paid, tendered or lodged, nor shall such payment, tender or lodgment in any respect vary, discharge or affect the liability of such person to pay the whole amount of the arrears of such Rate, Tax or Cess which shall be then due, or the remedies for the recovery thereof.

power to adjourn the same from time to time, so that no such adjourned Court shall be held after the Fifteenth day of October in any year, and shall have power to require any High Constable, Churchwarden, or other person authorized to applot, collect or levy any *rate for the relief of the poor*, Cess, Rate or Tax within the Borough or within any Parish wholly or in part within the Borough, or other
 26 person or persons having the custody of any book of applotment or rate of valuation to produce the same, and allow the same to be inspected at any Court to be held for revision of the Burgess Roll, and shall have power to administer an oath to the Town Clerk and Churchwardens, and to all persons claiming to be inserted in or making objection to the omission or insertion of any name in the said Lists, and to all persons objected to in any of such Lists, and to all persons claiming to have any mistake in any such Lists corrected, and to all witnesses who may be tendered or examined on either side; and if any person taking any oath or making any affirmation under this Act shall wilfully swear or affirm falsely, such person shall be deemed guilty of Perjury, and shall be punished accordingly; and the Mayor and Assessors or Barrister shall, upon hearing in open Court, determine upon the validity of such claims and objections; and the Mayor or Barrister shall, in open Court, write his initials against the names respectively struck out or inserted, and against any part of the said Lists in which any mistake shall have been corrected, and shall sign
 27 his name to every page of the several Lists so settled.

power of adjourning, of administering Oaths, &c., and shall settle and sign the Lists in open Court.

And be it Enacted, That the Lists so revised and signed as last aforesaid shall be delivered by the Mayor or Barrister to the Town Clerk of such Borough, who shall keep the same, and shall cause the said Lists to be fairly and truly copied into one general Alphabetical List in a book to be by him provided for that purpose, with every name therein numbered, beginning the numbers from the first name, and continuing them in a regular series to the last name, and shall cause such Book to be completed on or before the Twenty-second day of October in every year, and shall deliver such Book, together with the Lists, at the expiration of his office, to the person succeeding him in such office; and every such Book shall be the Burgess Roll of the Burgesses of such Borough entitled to vote after the passing of this Act in the choice of the Aldermen and Councillors, Assessors and Auditors of such Borough as hereinafter mentioned, at any election which may take place in such Borough between the
 28 Twenty-fifth day of October inclusive in the year wherein such Burgess Roll shall have been made and the Twenty-fifth day of October in the succeeding year, or until a new Burgess Roll shall have been made.

27.
 Borough List to be kept by the Town Clerk, and copied into Books, with the Names numbered.

Such Book to be the Register of Voters from which Election shall be made.

28.
No Stamp
Duty payable
on Enrolment.

And be it Enacted, That no Stamp Duty shall be payable in respect of the admission, registry or enrolment of any Burgess, according to the provisions of this Act.

29.
CLAUSE (I.)
Applications
may be made
to the Court
of Queen's
Bench for a
Mandamus
to put a
Burgess on
the Roll.

And be it Enacted, That it shall be lawful for any person whose claim shall have been rejected or name expunged at the revision of the Burgess Roll of any of the said Boroughs to apply before the end of the Term then next following to the Court of Queen's Bench for a Mandamus to the Mayor for the time being of that Borough to insert his name upon the Burgess Roll, and thereupon for the Court to inquire into the title of the applicant to be so enrolled; and if the Court shall award such Mandamus, the Mayor shall be bound to insert the name upon the Burgess Roll, and shall add thereunto the words " By Order of the Court of Queen's Bench," and shall subscribe his name to such words; and the Town Clerk shall be bound to produce the said Burgess Roll to the Mayor for that purpose; and thereupon the person whose name shall be so added to the Burgess Roll shall be deemed a Burgess, and entitled to vote and act as a Burgess in all respects as if his name had been put upon the Burgess Roll by the Barrister or mayor and Assessors; and upon every such application the Court shall have power to make such Order with respect to the Costs as to the Court shall seem fit.

30.
Penalty for
wilfully
and corruptly
expunging or
not inserting
any Name.

And be it Enacted, That if any such Mayor or Assessor shall wilfully and corruptly disallow the claim of any person who shall be duly entitled, or wilfully and corruptly allow the claim of any person who shall not be duly entitled to be enrolled on the Burgess Roll, or if any such Mayor shall wilfully and corruptly expunge the name of any person duly entitled, or wilfully and corruptly insert or retain in such List the name of any person who shall not be duly entitled to be enrolled on such Burgess Roll, every Mayor or Assessor so offending shall be liable to be sued by way of civil bill in an action of debt for the penal sum of ¹Fifty Pounds for every name so wilfully and corruptly allowed, disallowed, expunged, inserted or retained, at the suit of any Burgess of the said Borough who shall sue for the same in the Court of the Assistant Barrister, Chairman or Recorder having jurisdiction by way of civil bill within such Borough; and the Defendant in such action respectively, being convicted, shall pay such penal sum so awarded, with full costs of suit, to the party who may sue for the same; and if any Mayor, Town Clerk or Churchwarden shall wilfully neglect to make out such Lists, or wilfully omit the name of any person which ought to be inserted thereon, or wilfully insert in or retain on such Lists the name of any

Mayor, Town
Clerk, or
Church-
warden neg-
lecting duty,
guilty of a
Misdemeanor.

29

any person which ought not to be inserted thereon, or wilfully neglect or refuse to perform the duties or any part thereof by this Act imposed upon him or them respectively, he shall be deemed guilty of a Misdemeanor, and may be indicted and punished accordingly.

And be it Enacted, That the Town Clerk of every Borough *named in the said Schedule (A.)* shall cause to be written or printed copies of the Burgess Roll in every year, and shall deliver such copies to all persons applying for the same, on payment of a reasonable price for each copy; and the monies arising from the sale thereof, and of the Churchwardens and Town Clerks' Lists, and of the Lists of Claims and Objections as aforesaid, shall be paid over to the Treasurer of such Borough, and shall be applied by him in aid of the Borough Fund hereinafter mentioned; and the Town Clerk of every Borough shall on or before the First day of December next after this Act shall come into operation in that Borough, make out a List, to be called "The Freemen's Roll," of all persons who at the time of the passing of this Act shall have been admitted as Freemen of such Borough; and that whenever any person shall *be or thereafter* become entitled to be admitted a Freeman of such Borough in respect of birth, servitude or marriage, and shall claim to be admitted accordingly, the Mayor of such Borough shall *within Seven Days after the making thereof* examine into such claim, and upon such claim *in respect of birth, servitude or marriage* being established every such person shall thereupon be admitted and enrolled by the Town Clerk of such Borough upon the said *Freemen's Roll*; and the Town Clerk shall keep a true Copy of such Roll, to be perused by any person, without payment of any fee, at all reasonable times, and shall deliver a copy thereof *or extract therefrom* to any person requiring the same, on payment of a reasonable price for such copy.

31.
Copies of
Burgess Roll
to be made
for Sale.

And be it Enacted, That for the purpose of better ascertaining who are the *Burgesses of any such Ward*, the *Burgess Roll of every Borough so divided into Wards* shall thenceforward yearly be made out, by or under the direction of the Town Clerk, in alphabetical Lists of the *Burgesses in each Ward*, to be called "*Ward Lists*."

32.
CLAUSE (K.)
List of Bur-
gesses of
each Ward
to be made
out annually.

And be it Enacted, That the Council of every Borough *named in the said Schedule (A.)* shall take an account of the reasonable expenses incurred in carrying into effect the several provisions of this Act, so far as relates to the said Lists, and shall order the Treasurer of ⁽¹⁾ such Borough to pay the same out of the Borough Fund of the said Borough.

33.
Expenses of
Lists how to
be defrayed.

And

(1) the said

34.
Mayor, Aldermen and Councillors to be chosen in every Borough.

And be it Enacted, That in every Borough *named in the said Schedule (A.)* there shall be elected, at the time and in manner hereinafter mentioned, One fit person, who shall be and be called "The Mayor" of such Borough; and *in the different Wards of every such Borough there shall be elected at the time and in the manner hereinafter mentioned* a certain number of fit persons, who shall be and be called "The Aldermen" of such Borough, and a certain number of other fit persons, who shall be and be called "The Councillors" of such Borough; and the number of persons to be so elected Aldermen and Councillors of such Borough shall be the number of persons in that behalf mentioned in conjunction with the name of such Borough in the ⁽¹⁾ *Schedule (A.)* ⁽²⁾ to this Act annexed; and such Mayor, Aldermen and Councillors for the time being, or so many of them as shall at any time be elected and have accepted the offices, shall be and be called "The Council of such Borough."

32

35.
Who not qualified to be chosen Mayor, Alderman or Councillor.

And be it Enacted, That no person being in Holy Orders, or being the regular Minister of any Dissenting Congregation, shall be qualified to be elected, or to be a Councillor or an Alderman of any Borough; nor shall any person be qualified to be elected or to be a Councillor or an Alderman of any Borough named in said Schedule (A.) to this Act annexed, who shall not be entitled to be on the Burgess List of such Borough, nor unless he shall be seised or possessed of real or personal estate, or of both, of the clear value of One thousand Pounds above what will satisfy his debts, ⁽³⁾ nor shall any person be qualified to be elected, or to be a Councillor or an Alderman of any *such* Borough during such time as he shall hold any office or place of profit, other than that of Mayor, in the gift or disposal of the Council or charitable Trustees of such Borough, or while he is an uncertificated bankrupt, or during such time as he shall have, directly or indirectly, by himself or his partner, any share

(¹) Schedules

(²) and (B.)

(³) or shall occupy, and shall for Twelve Months next previous have occupied, a house of the clear yearly value of Twenty-five Pounds or upwards, situate within the Borough; nor shall any person be qualified to be elected or to be a Councillor or an Alderman of any Borough named in the said Schedule (B.) to this Act annexed who shall not be entitled to be on the Burgess List of the Borough for which he is elected, nor unless he shall be seised or possessed of real or personal estate, or of both, of the clear value of Five hundred Pounds above what will satisfy his debts, or shall occupy, and shall for Twelve Months next previous have occupied, a house of the clear yearly value of Fifteen Pounds or upwards, situate within the Borough;

share or interest in any contract or employment with, by or on behalf of such Council or charitable Trustees; provided that no person shall be disqualified from being a Councillor or Alderman of any Borough as aforesaid by reason of his being a proprietor or shareholder of or in any Company which shall contract with the Council of such Borough for lighting or supplying with water any part of the said Borough, or insuring against fire any property therein.

And be it Enacted, That every Burgess of *any Ward* in any Borough who shall be enrolled on the Burgess Roll for the time being of such Borough, *and in the Ward List for such Borough*, shall be entitled to vote in the election of Aldermen and Councillors of *such Ward*, and of the Auditors and Assessors hereinafter mentioned for such Borough; and no person who shall not be enrolled in such Burgess Roll *and Ward List* for the time being, shall have any voice or be entitled to vote in any such election.

36.
Who shall
vote in the
election for
Councillors.

And be it Enacted, That every Burgess of any Borough named in the said Schedule (A.) shall be entitled to vote in the election of the Aldermen and Councillors to be chosen within that Ward in which some part of the property of such Burgess in respect of which he is enrolled on the Burgess Roll for the time being of such Borough shall appear to be situated, and not otherwise; and in case it shall happen that any Burgess shall be entitled to be enrolled in respect of property in Two or more Wards, then he shall, if otherwise duly qualified according to the provisions of this Act be enrolled and vote in such one of the said Wards as he shall at the time of his enrolment, select by writing under his hand delivered to the Town Clerk, or left at his office on or before the Fifth day of September in any year, or in default of his selection as the Mayor shall determine, but not in more than one.

37.
CLAUSE (L.)
Burgesses to
vote for the
Councillors of
the Ward in
which their
Property is
situate.

And be it Enacted, That on the Twenty-fifth day of October in the first year in which this Act shall come into operation in any Borough mentioned in the said ⁽¹⁾ *Schedule (A.)*, the Burgesses in every Ward of every such Borough shall elect from among the persons qualified to be Councillors of such Borough, the number of persons mentioned in the ⁽²⁾ *Schedule (C.)* to this Act annexed in conjunction with such ⁽³⁾ *Ward* as the number of Aldermen and Councillors of said Borough *to be elected in such Ward*; and One-fourth part of the persons so elected, being those who shall have the greatest number of votes, shall be the Aldermen of the said ⁽³⁾ *Ward*, and the remaining Three-fourths shall be the Councillors of such ⁽³⁾ *Ward*.

38.
Directing the
election of
Aldermen and
Councillors.

And

⁽¹⁾ Schedules, and not divided into Wards, as hereinafter directed,

⁽²⁾ Schedules

⁽³⁾ Borough

39.
One-third part
of the Council
to go out of
Office
annually.

And be it Enacted, That upon the Twenty-fifth day of October in every year following that in which this Act shall come into operation in any Borough One-third part of the number appointed as aforesaid to be the whole number of the Councillors of *every Ward* of such Borough shall go out of office, and the Burgesses then enrolled in the ⁽¹⁾ *Ward List of such Ward* shall elect the number of Councillors needed to supply the vacancies thereupon existing in the number of Councillors; and those who shall so first go out of office shall be the Councillors who were elected under the provisions of this Act by the smallest numbers of votes at the first Election, and in the next year those who shall go out of office shall be the Councillors who were elected under the provisions of this Act by the next smallest numbers of votes at the first election, the majority of the whole Council always determining when the votes for any such persons shall have been equal, or in case there shall have been no contest, who shall be the persons so to go out of office; and thereafter those who shall so go out of office shall always be the Councillors who have been for the longest time in office without re-election: Provided always, That any Councillor so going out of office shall be capable of being forthwith re-elected, if then qualified as herein provided. 36

40.
When day
of Election
falls on a
Sunday, the
Election
shall be held
on the Mon-
day follow-
ing.

And be it Enacted, That whenever any day appointed by this Act as a day of Election, or for doing any Act in any year, shall happen on a Sunday, in every such case the election shall be holden and the act done on the following Monday.

41.
One-half the
number of
Aldermen to
go out of
office every
Three Years.

And be it Enacted, That on the Twenty-fifth day of October in every Third year after the year in which this Act shall come into operation in any Borough, *except in the City of Dublin*, One-half of the number appointed to be the whole number of the Aldermen of every ⁽¹⁾ *Ward* shall go out of office, and the Burgesses then enrolled in the ⁽¹⁾ *Ward List* shall elect the number of Aldermen needed to supply the vacancies there upon existing in the number of Aldermen; *and in the City of Dublin the Burgesses of each of Eight Wards shall separately elect in each Third subsequent year the Alderman of that Ward, the Council determining in which Wards the Aldermen shall be first re-elected; and the Aldermen first elected in the Eight Wards so determined upon by the Council shall go out of office at the end of Three Years after their election; and the Aldermen of every Ward of every other Borough* who shall so first go out of office shall be the Aldermen who were elected by the smallest number of votes at the First election, the majority of the Council determining

⁽¹⁾ Borough.

37 determining when the votes for any such persons shall have been equal, or in case there shall have been no contest, who shall be the Aldermen first to go out of office ; and thereafter those who shall go out of office shall always be those who have been Aldermen for the longest time without re-election : Provided always, That any Alderman on going out of office may be forthwith re-elected if then qualified.

38 And be it Enacted, That the first election of Aldermen and of Councillors within any ⁽¹⁾ *Ward* according to the provisions of this Act shall be holden before the ⁽²⁾ *Mayor for the time being of such Borough, or the person whom the Mayor shall appoint for that purpose in such Ward respectively*, and such ⁽³⁾ *Mayor* shall for that purpose be in the place and stead of the ⁽⁴⁾ *Alderman* and Assessors, and shall have all such powers as the ⁽⁵⁾ *Alderman* and assessors will possess in the subsequent elections ; and every subsequent election of Aldermen or of Councillors within any ⁽¹⁾ *Ward* according to the Provisions of this Act shall be holden before the ⁽⁴⁾ *Alderman (or if more than One) such Aldermen of the Ward, as the Council shall appoint*, and Assessors for the time being of such ⁽¹⁾ *Ward*, except as herein is excepted ; and the voting at every such election shall commence at Nine of the clock in the Forenoon, and shall finally close at Four of the clock in the Afternoon of the same day, and shall be conducted in manner following ; (that is to say) every Burgess entitled to vote in the election may vote for any number of persons not exceeding the number of Aldermen or Councillors then to be chosen, by delivering to the Mayor, or ⁽³⁾ *person appointed as aforesaid, or Alderman, (as the case may be,)* a Voting Paper containing the christian names and surnames of the persons for whom he votes, with their respective places of abode and descriptions, such Paper being previously signed with the name of the Burgess voting, and with the name of the street, lane or other place in which the property in respect of which he is enrolled is situated.

42.
Elections how
to be held.

Mode of
voting.

And be it Enacted, That at every election under this Act in any Borough the Mayor, or ⁽³⁾ *in any Ward the Alderman before whom the election shall be held*, if it shall appear to him expedient for taking the poll at such election, may cause Booths to be erected, or rooms to be hired and used as such Booths, for different parts of such Borough, and such Booths or rooms may be situated either in one place

43.
Polling
Booths to be
provided.

(¹) Borough

(²) Barrister to be appointed by the Lord Lieutenant to revise the Lists of Burgesses as aforesaid

(³) Barrister

(⁴) Mayor

(⁵) Mayor, or the Mayor

place or in several places, and shall be so divided and allotted into compartments as to the Mayor or ⁽¹⁾ *Alderman* shall seem most convenient; and the Mayor or ⁽¹⁾ *Alderman* shall appoint a Clerk to take the poll at each compartment, and shall cause to be affixed on the most conspicuous part of each of the said Booths the names of the parts of the Borough for which such Booth is respectively allotted; and no person shall be admitted to vote at any such election except at the Booth allotted for the part wherein the house, warehouse, counting-house, office or shop occupied by him as described in the Burgess Roll may be; but in case no Booth shall happen to be provided for any particular part as aforesaid, the votes of the persons voting in respect of property situate in any part so omitted may be taken at any of the said Booths; and public notice of the situation, division and allotments of the different Booths shall be given Two Days before the commencement of the poll by the Mayor or ⁽¹⁾ *Alderman*; and in case the Booths shall be situated in different places, the Mayor or ⁽¹⁾ *Alderman* may appoint a deputy to preside at each place: Provided that no election shall be holden under this Act in any Borough in any church, chapel or other place of public worship.

40

44.
No inquiry
of the Voter,
except as to
his identity,
and whether
he has voted
before at the
same Election.

And be it Enacted, That no inquiry shall be permitted at any election as to the right of any person to vote as a Burgess in any Borough, except only as follows; (that is to say) that the Mayor or other presiding officer shall, if required by any Two Burgesses entitled to vote in the same Borough, put to any voter at the time of his delivering in his Voting Paper, and not afterwards, the following questions, or any of them, and no other:

Forms of
Questions as
to these points.

1. Are you the person whose name is signed as A. B. to the Voting Paper now delivered in by you?
2. Are you the person whose name appears as A. B. on the Burgess Roll now in force for this Borough, being registered therein for property described to be situated in ?
[Here specify the street, &c. as described in the Burgess Roll.]
3. Have you already voted at the present election?

And no person required to answer any of the said questions shall be permitted or qualified to vote until he shall have answered the same; and if any person shall wilfully make a false answer to any of the questions aforesaid, he shall be deemed guilty of a Misdemeanor, and may be indicted and punished accordingly.

41

And

⁽¹⁾ Barrister.

And be it Enacted, That at any election under the provisions (1) of this Act, it shall be lawful for the presiding Officer to close the poll at any time before Four of the clock, if One Hour shall have elapsed, during which no vote shall have been tendered for any candidate ; provided that no person or persons have within the last hour been prevented from coming to the poll by any riot, violence, or other unlawful means, of which notice shall have been given to the Returning Officer.

45.
Poll may be closed if an Hour has elapsed without a Vote being tendered.

And be it Enacted, That the Mayor and Assessors or the (2) *Alderman and Assessors (as the case may be)* shall examine the Voting Papers so delivered as aforesaid, for the purpose of ascertaining which of the several persons voted for are duly elected ; and so many of such persons, being equal to the number of persons then to be chosen, as shall have the greatest number of votes, shall be deemed to be elected ; and in case of an equality in the number of votes for any Two or more persons, the Mayor and Assessors, or *Aldermen and Assessors*, or or any Two of them, or at the first Election the (2) *person appointed by the Mayor as aforesaid*, shall name from amongst those persons for whom the number of votes shall be equal so many
42 as shall be necessary to complete the requisite number of persons to be chosen Aldermen or Councillors, as the case may be ; and the Mayor shall cause the Voting Papers to be kept in the office of the Town Clerk during Six calendar Months at the least after every such election, and the Town Clerk shall permit any Burgess or any Two *Burgesses together*, to inspect the Voting Papers of any year, on payment of One Shilling for every search ; and the Mayor shall publish a list of the names of the persons so elected, together with the number of votes given in favour of each person so elected, not later than Two of the clock in the afternoon of the day next but one following the day of such election.

46.
Result of Election how to be declared.

And be it Enacted, That if at any Election of Aldermen, Councillors or Assessors for any Borough named in the said Schedule (A.) any person shall be elected an Alderman, Councillor or Assessor in more than One of the Wards of such Borough, he shall within Three Days after notice thereof choose, or in default the Mayor shall declare, for which one of the said Wards such Alderman, Councillor or Assessor shall serve, and such person shall thereupon be held to be elected in that Ward only which he shall so choose or which the Mayor shall so declare.

47.
CLAUSE (M.)
Manner of proceeding if any person is selected an Alderman or Councillor in more than One Ward.

And be it Enacted, That on the First day of November in the year in which this Act shall come into operation in every Borough,
and

48.
Election of Auditors and Assessors.

(1) the said Act or of

(2) Barrister

and in every succeeding year, the Burgesses of ⁽¹⁾ *the whole* Borough shall, *at an election to be holden before the Mayor*, elect from the persons qualified to be Councillors, by a majority of votes, Two Burgesses, who shall be and be called Auditors of such Borough, and Two Burgesses, who shall be and be called Assessors of such Borough, *and besides the Two Assessors chosen as aforesaid by the Burgesses for the whole Borough to hold the Court with the Mayor for revising the Burgess Lists, the Burgesses of every Ward shall on the First day of November next after the election of Councillors in such Ward, and in every subsequent year, elect from the persons qualified to be Councillors Two Assessors for such Ward, in the form and manner hereinbefore provided for the election of Councillors;* and every such Auditor and Assessor shall continue in office until 43 the Tenth day of November in the year following his election; and the election of such Auditors and Assessors respectively shall be in form and manner hereinbefore provided for the election of Councillors: Provided nevertheless, That in every such election of Auditors *or Assessors of the Borough*, or Assessors *of the Ward*, no Burgess shall vote for more than One person to be an Auditor or Assessor: Provided also, That no Burgess shall be eligible to be or be elected such Auditor or Assessor as aforesaid who shall be of the Council, or the Town Clerk or Treasurer of such Borough; and no Auditor or Assessor shall be eligible to be elected Alderman or Councillor, or appointed to be Town Clerk or Treasurer of the Borough, during the time of his being such Auditor or Assessor.

49.
Council to
appoint an
Alderman in
default of
the Mayor.

And be it Enacted, That if the Mayor of any Borough shall at the time when it shall be necessary to execute the powers and duties herein provided with respect to electors be dead, absent or otherwise incapable of acting, the Council of such Borough shall forthwith elect one of the Aldermen to execute all such powers and duties in 44 his place, whose acts shall be as valid as any act of the person instead of whom he shall have been so elected.

50.
In case of
illness of Alderman at
Election.

And be it Enacted, That in case of the illness or incapacity to act of any Alderman at any election, the Mayor shall be empowered to appoint another Alderman to act in the room of such Alderman during such illness or incapacity.

51.
Assessor may
appoint a
Deputy.

And be it Enacted, That every Assessor shall be empowered and he is hereby directed, as soon as conveniently may be after his election, and from time to time as the occasion may arise or to him may seem fit, to appoint under his hand a deputy to act for him in
case

(¹) that

case of his illness or incapacity to act at any election or any revision of the Burgess Lists ; and every such appointment shall be signified by him in writing under his hand to the Council, and shall be recorded on the minutes of their proceedings.

45 And be it Enacted, That after the declaration of the first election of the Councillors under the provisions of this Act in any Borough, *named in the said Schedule (A.)* the Mayor, Aldermen and Common Councilmen, and all other members of the Common Council or governing Body of the Body Corporate, if any, named in conjunction with such Borough in the said ⁽¹⁾ *Schedule (A.)*, ⁽²⁾ by whatever name or style they may be known or called, then in office, or elected to any office, shall go out of office, and their whole powers and duties shall cease : Provided nevertheless, That any of the said persons shall be eligible to be elected and appointed under the provisions of this Act : Provided also, That such persons as by virtue of any charter are Justices of the Peace in any Borough *named in the said Schedule (A.)* at the time of passing this Act shall continue to have and exercise all the powers which at the time of passing this Act they have as Justices of the Peace until the First day of December next after the first election of Councillors under this Act in that Borough, and no longer.

52.
Existing
Mayors and
Councils to
go out of
office on elec-
tion of Coun-
cils under this
Act.

46 And be it Enacted, That in every Borough in which, by statute, charter, bye-law or custom, any election is appointed to be holden between the day on which this Act shall come into operation in that Borough and the Twenty-fifth day of October then next following, both inclusive, no such election shall be holden, but every person holding office or elected to any office in any Borough on the day on which this Act shall come into operation in that Borough shall hold such office, and have all the powers, and be subject to all the duties, and be entitled to the same or a proportion of the same salary and fees of such office for the time for which he shall act, as he would have had and been if elected to such office between the day on which this Act shall come into operation in that Borough, and the Twenty-fifth day of October then next following, until the time provided by this Act for him to go out of office, any statute, charter, bye-law or custom notwithstanding.

53.
Certain
Elections not
to be had.

(²)

And

(¹) Schedules (A.) (²) and (B.)

(²) And be it Enacted, That every Borough in the said Schedule (A.) shall, as soon as this Act shall come into operation in that Borough, be divided into the number of Wards mentioned in such Schedule in conjunction with the name of such Borough; provided that Parliament, by an Act to be passed in this present

47.

Parliament, shall direct in what manner such division shall be made, and shall define such Wards, and shall apportion among the several Wards of such Borough the number of Councillors and Aldermen mentioned in conjunction with the name of such Borough in the said Schedule, so that the number of Councillors assigned to each Ward may be a number divisible by Three, and the number of Aldermen One-third of the number of Councillors, and in that case the number of Councillors and Aldermen so assigned to each Ward of such Borough shall thenceforth be the number to be elected in such Ward as hereinafter mentioned.

48. And be it Enacted, That in every case in which there shall be a division into Wards of any Borough, the Burgesses of every such Ward, and none others, shall on the Twenty-fifth day of October next after such division, separately elect from the persons qualified to be Councillors the whole number of Aldermen and Councillors assigned to such Ward ; and the One-fourth of the persons so elected who shall have the greatest number of votes shall be the Aldermen of such Ward, and the remaining Three-fourths shall be the Councillors of such Ward ; and the Burgesses of such Ward, and none others, in every subsequent year, shall separately elect from the persons qualified to be Councillors One-third part of the whole number of Councillors 48 assigned to such Ward, and in every Third subsequent year, except in the City of Dublin, One-half of the whole number of Aldermen assigned to such Ward, and in the City of Dublin the Burgesses of each of Eight Wards shall separately elect in every Third subsequent year the Alderman of that Ward, the Council determining in which Wards the Aldermen shall be first re-elected ; and the Aldermen first elected in the Eight Wards so determined upon by the Council shall go out of office at the end of Three years after their Election ; and the Burgesses of every Ward in every Borough 49 (including the City of Dublin) on the First day of November next after the first election of Councillors in such Ward, and in every subsequent year shall separately elect from the persons qualified to be Councillors Two Assessors for such Ward, besides the Two Assessors chosen as aforesaid by the Burgesses of the whole Borough, to hold the Court with the Mayor for revising the Burgess Lists ; and every such Ward election first after such division into Wards of any Borough shall be held before the Barrister appointed by the Lord Lieutenant as aforesaid, or the person whom the said Barrister shall, and is hereby required to appoint in that behalf, and in every succeeding year shall be held before the Aldermen whom the Councillors chosen in such Ward shall yearly appoint in that behalf, and before the Two Assessors of such Ward ; and the votings and other proceedings in all other

And be it Enacted, That if any extraordinary vacancy shall be occasioned in the office of Councillor, Auditor or Assessor for any Borough *named in the said Schedule (A.)* the Burgesses entitled to vote

54.
Occasional
Vacancies of
Councillors to
be filled up by
fresh Elections.

50 other respects at such Ward elections shall be conducted in the same manner as at elections of Aldermen, Councillors or Assessors respectively by the Burgesses of the whole Borough, and the Aldermen and Assessors of each Ward, and the persons who may be so appointed, shall have the same powers in regard to elections in their Ward as the Mayor and Assessors for the whole Borough if not divided into Wards; and every person so elected an Alderman, Councillor or Assessor in such Ward shall hold his office for the same time that he would have held it if he had been elected by the Burgesses of the whole Borough, and if the number elected in such Ward had been the whole number for the Borough.

And be it Enacted, That, for the purpose of better ascertaining who are the Burgesses of any such Ward, the Burgess Roll of every Borough so divided into Wards shall thenceforward yearly be made out by or under the direction of the Town Clerk, in alphabetical Lists of the Burgesses in each Ward, to be called "Ward Lists."

48.

51 And be it Enacted, That after such division into Wards every Burgess of any Borough shall be entitled to vote in the election of the Aldermen and Councillors to be chosen within that Ward in which some part of the property of such Burgess in respect of which he is enrolled on the Burgess Roll for the time being of such Borough shall appear to be situated, and not otherwise; and in case it shall happen that any Burgess shall be entitled to be enrolled in respect of property in Two or more Wards, then he shall, if otherwise duly qualified according to the provisions of this Act, be enrolled and vote in such one of the said Wards as he shall at the time of his enrolment select, by writing under his hand delivered to the Town Clerk or left at his office on or before the Fifth day of September in any year, or in default of his selection, as the Mayor shall determine, but not in more than One.

50.

52 And be it Enacted, That if at any election of Aldermen, Councillors or Assessors for any Borough any person shall be elected an Alderman, Councillor or Assessor in more than One of the Wards of such Borough, he shall within Three Days after notice thereof choose, or in his default the Mayor shall declare for which one of the said Wards such Alderman, Councillor or Assessor shall serve, and such person shall thereupon be held to be elected in that Ward only which he shall so choose, or which the Mayor shall so declare.

51.

vote shall, on a day to be fixed by the Mayor of such Borough, or by the Alderman, *appointed as aforesaid*, of the Ward in which the vacancy has happened, accordingly as the election is to be by the Burgesses of the whole Borough or of any particular Ward (such day not to be later than Ten Days after such vacancy), elect from the persons qualified to be Councillors another Burgess to supply such vacancy; and such election shall be held, and the voting and other proceedings, in case of a contest, shall be conducted in the same manner and subject to the same provisions as are hereinbefore enacted with respect to the election of Councillors as aforesaid; and every person so elected shall hold such office until the time at which the person in room of whom he was chosen would regularly have gone out of office, and he shall then go out of office, but shall be capable of immediate re-election, if then qualified as herein provided. 53

55.
Occasional
Vacancies in
the office of
Alderman to
be supplied.

And be it Enacted, That if any extraordinary vacancy shall be occasioned in the office of Alderman by reason of any person who shall have been elected to such office not accepting the same, or by reason of his dying or ceasing to hold the said office, ⁽¹⁾ the Burgesses of the Ward in which the vacancy may have occurred, shall ⁽²⁾ *on a day to be fixed by the Mayor of such Borough, or by the Alderman, appointed as aforesaid, of the Ward in which the vacancy has happened, or if there shall be no Alderman appointed as aforesaid, by such Alderman or Councillor as shall have been appointed for that purpose by the Council* (such day not to be later than Ten Days after such vacancy), elect out of the Councillors or persons qualified to be Councillors of the Borough another fit person to be an Alderman of the Ward instead of the person so declining, dying or ceasing to hold office.

56.
Election of
Mayor by
Council.

And be it Enacted, That on the First day of November in every year the Council of the Borough shall elect out of the Aldermen or Councillors of such Borough a fit person to be the Mayor of such Borough, who shall continue in his office for One whole year; and until ⁽³⁾ his successor *shall have accepted the office of Mayor, and shall have made and subscribed the Declaration required in that behalf*; and in case of an equality of votes in any election of Mayor, the Alderman who shall have been elected by the greatest number of votes shall have a second or casting vote; and in case a vacancy shall be occasioned in the office of Mayor of the Borough during such year, by reason of any person who shall have been elected to such office not 54

⁽¹⁾ the Burgesses, in case no division into Wards shall have been made, and when such division shall have been made

⁽²⁾ within

⁽³⁾ the election of

not accepting the same, or by reason of his dying or ceasing to hold the said office, the Council of the Borough shall within Ten Days after such vacancy elect out of the Aldermen or Councillors of the said Borough another fit person to be the Mayor thereof for the remainder of the then current year.

And be it Enacted, That the Mayor for the time being of every Borough named in the said Schedule (A.) shall be a Justice of the Peace of and for such Borough, and such Mayor shall, during his mayoralty, have precedence in all places within the Borough, and in Boroughs which return a Member or Members to serve in Parliament, other than cities and towns which are counties of themselves, shall be the Returning Officer at all elections for such Members; and such Mayor or other Returning Officer of any *such* Borough shall, if he shall think fit, or if any candidate shall require the same, be assisted in such of the said Boroughs as shall have a Recorder by the Recorder of such Borough as his Assessor at such election; and in case the Mayor shall, at the time when it shall be necessary to execute the powers and duties herein provided with respect to any elections, be dead or absent, or otherwise incapable of acting, the Council of such Borough shall forthwith elect one of the Aldermen to be the Returning Officer for such Borough in the place of the Mayor being so dead, absent or otherwise incapable.

57.
The Mayor to be a Justice of the Peace for the Borough and for the County, and Returning Officer at Elections of Members to serve in Parliament.

And be it Enacted, That no person elected a Mayor, *Auditor or Assessor for any Borough or Alderman* ⁽¹⁾ Councillor, Assessor ⁽²⁾ for any ⁽³⁾ Ward of any Borough, under the provisions of this Act, shall be capable of acting as such, except in administering the declaration hereinafter contained, until he shall have made and subscribed before any Two or more of such Aldermen or Councillors (who are hereby respectively authorized and required to administer the same) a declaration in the words or to the effect following; (that is to say)

58.
Mayor, Aldermen, Councillors, &c. not to act until they have made a declaration of acceptance of Office.

56 " I, A. B., having been elected Mayor [or, Alderman, Councillor, Auditor or Assessor] for the Borough of [or for the Ward of in the Borough of] do hereby declare, That I take the said office upon myself, and will duly and faithfully fulfil the duties thereof according to the best of my judgment and ability."

And in the case of the party being required to be qualified by estate, say,

" And

(¹) or (²) or Auditor (³) Borough or

“ And I do hereby declare, That I am seised or possessed of real or personal estate [or both, as the case may be] to the amount of One thousand Pounds ⁽¹⁾ over and above what will satisfy my debts.” ⁽²⁾

And that every Alderman who shall have made and subscribed the foregoing declaration in respect of estate shall once in every period of Three Years, if required in writing so to do by any Two Members of the Council, make and subscribe a Declaration that he is qualified to the same amount in real or personal estate, or both, as the case may then be, as the amount mentioned in the declaration originally made or subscribed by him ; and every Mayor, Alderman, Councillor, Auditor or Assessor who shall in any such declaration wilfully make a false statement shall be deemed guilty of a Misdemeanor, and may be indicted and punished accordingly : Provided always, That nothing in this Act contained shall be construed to dispense with the obligation of any person to make and subscribe the oath provided and enjoined by an Act made in the tenth year of the reign of his late Majesty King George the Fourth, intituled, “ An Act for the Relief of His Majesty’s Roman Catholic Subjects.” 57

59.
Every Burgess elected to the office of Councillor, and every Councillor elected to the office of Mayor or Alderman, shall accept the office, or pay a Fine to the Borough Fund.

And be it Enacted, That every person duly qualified who shall be elected to the office of Alderman, Councillor, Auditor or Assessor, and every Councillor or Alderman who shall be elected to the office of Mayor for any Borough named in the said Schedule (A.) shall accept ⁽³⁾ the office to which he shall have been so elected, or shall in lieu thereof pay to the Mayor, Aldermen and Burgesses of such Borough such fine, not exceeding Fifty Pounds in case of Aldermen, Councillors, Assessors or Auditors, and such fine not exceeding One hundred Pounds in case of Mayor, as the Council of such Borough, by a bye-law to be made as hereinafter provided shall declare in that behalf ; and such fine, if not duly paid, shall be

⁽¹⁾ or Five hundred Pounds [as the case may require,]

⁽²⁾ or when a qualification by reason of the occupancy of a house value is allowed :

“ That I now occupy, and have for Twelve months last past occupied, a house of the clear yearly value of Twenty-five Pounds, or Fifteen Pounds [as the case may be,] situate within the Borough of .”

Provided that when a Borough rate shall have been imposed in any Borough under this Act, the words “ rated as being of the value ” shall be inserted instead of the words “ of the clear yearly value.”

⁽³⁾ such

58 be levied by the warrant of any Justice having jurisdiction within such Borough, who is hereby required on application of the Council to issue the same, by distress and sale of the goods and chattels of the person so refusing to accept such office with the reasonable charges of such distress, and shall also be recoverable by way of civil bill in any action of debt, at the suit of the Mayor, Aldermen and Burgesses of such Borough, in the Court of the Assistant-Barrister, Chairman or Recorder having jurisdiction by way of civil bill within such Borough; and every such person so elected shall accept such office, by making and subscribing the declaration hereinbefore mentioned within Five Days after notice of his election, otherwise such person shall be liable to pay the said fine as for his non-acceptance of such office, and such office shall thereupon be deemed to be vacant, and shall be filled up by a fresh election to be made in the manner hereinbefore mentioned: Provided always, That no person disabled by lunacy or imbecility of mind, or by deafness, blindness or other permanent infirmity of body, shall be liable to such fine as aforesaid: Provided also, That every person so elected to any such office, who shall be above the age of sixty-five years, or who shall have already served such office respectively or paid the fine 59 for not accepting such office respectively, within Five Years from the day on which he shall be so re-elected, shall be exempted from accepting or serving the same office if he shall claim such exemption within Five Days after notice of his election; and that nothing herein contained shall extend to compel the acceptance of any office or duty whatever in any Borough by any military, naval or marine officer in Her Majesty's service on full pay, or any officer of Excise or Customs, or any person employed in any of Her Majesty's dockyards, victualling establishments, arsenals or barracks, or any person serving in the office of High or Sub-Sheriff of a county at large, or being a Member of either House of Parliament: Provided further, That no person enabled by law to make an affirmation or declaration instead of taking an oath shall be liable to any fine for non-acceptance of office in any Borough.

60 And be it Enacted, That every person elected into any corporate office in any of the said Boroughs, may at any time resign such office on payment of the fine which he would have been liable to pay for non-acceptance of the same office, or if he shall become entitled to claim exemption from payment of any such fine, or from accepting or serving such office under any provision hereinbefore contained.

60:
Provision
for resigning
Office.

And be it Enacted, That if any person holding the office of Mayor, Alderman or Councillor for any Borough *named in the said Schedule (A.)* shall be declared bankrupt, or shall apply to take the benefit of any

61.
Any Mayor,
Alderman or
Councillor, if
he shall be
declared

bankrupt, or insolvent, or absent himself from the Borough, shall lose his Office.

Act for the Relief of Insolvent Debtors, or shall compound by deed with his creditors, or, being Mayor, be absent for more than Two calendar Months, or, being an Alderman or Councillor, for more than Six Months at one and the same time (unless in case of illness or other reasonable cause to be allowed by the Council), from the Borough of which he shall be Mayor, Alderman or Councillor, then and in every such case such person shall thereupon immediately become disqualified, and shall cease to hold the office of such Mayor, Alderman or Councillor as aforesaid, and in case of such absence shall be liable to the same fine, to be recovered in the same manner, as if he had 61 refused to accept the said office, and the Council thereupon shall forthwith declare the said office to be void, and shall signify the same by notice in writing under the hands of Three or more of them, countersigned by the Town Clerk, to be affixed in some public place within the Borough, and the said office shall thereupon become void ; but every person so becoming disqualified and ceasing to hold such office on account of his being declared a bankrupt, or of his applying to take the benefit of any Act for the Relief of Insolvent Debtors, or having compounded with his creditors as aforesaid, shall, on obtaining his certificate, or on payment of his debts in full, be capable, if otherwise qualified, of being re-elected to such office ; and every person becoming disqualified to hold such office on account of absence as aforesaid, shall on his return to such Borough be capable of being re-elected to such office, provided he shall then be otherwise qualified.

62.

Penalty on Person not qualified, &c. acting as Mayor, Alderman or Councillor.

And be it Enacted, That if any person shall act as Mayor, 62 Alderman or Councillor, or Auditor or Assessor, for any Borough *named in the said Schedule (A.)*, or for any Ward in ⁽¹⁾ *such* Borough, without having made the declaration hereinbefore required in that behalf, or without being duly qualified at the time of making such declaration, or after he shall have ceased to be qualified according to the provisions of this Act, or after he shall have become disqualified to hold any such office, he shall for every such offence forfeit the sum of Fifty Pounds, such sum to be recovered, with full costs of suit, by any person who will sue for the same within Three calendar Months after the commission of such offence, by action of debt or on the case in any of Her Majesty's Superior Courts of Record ; and every person so sued by reason of not being so qualified in respect of estate shall prove that he was at the time of so acting qualified as aforesaid, or otherwise shall pay the said penalty, without any further evidence being given on the part of the plaintiff than that such person has acted as the Mayor, or as Alderman, Councillor, Auditor or Assessor (as the case may be) of such

(¹) any

63 such Borough or Ward (as the case may be): Provided always, That it shall be lawful for any defendant by Judge's order, or by the order of the Court, to be obtained within Fourteen Days after he shall have been served with process in any such action, to require the plaintiff to give security for costs; and in such case all further proceedings in the said cause shall be stayed until the plaintiff shall give security to the satisfaction of the proper officer of the Court for the costs of such action in case a verdict shall pass for the defendant, or the plaintiff shall become nonsuit or discontinue such action, or if upon demurrer or otherwise judgment shall be given against the plaintiff, and the defendant shall in either of such cases recover his full costs as between attorney and client: Provided also, That no such action shall be brought except by a Burgess of such Borough, nor unless the Burgess bringing the same shall, within Fourteen Days after the commission of the offence, have served a notice in writing personally upon the party committing such offence of his intention to bring such action; and in case the plaintiff in any such action shall obtain a verdict, the money so to be recovered shall, after payment of the costs and expenses attending the recovery thereof, be paid and apportioned as follows; (that is to say) one Moiety thereof to 64 the person so suing, and the other Moiety thereof to the Treasurer to be appointed by virtue of this Act, to be by him applied in aid of the Borough Fund: Provided also, That all acts and proceedings of any person in possession of the office of Mayor, Alderman, Councillor, Auditor or Assessor, and acting as a Mayor, Alderman, Councillor, Auditor or Assessor, shall, notwithstanding such disqualification or want of qualification, or any other defect or want of Title, be as valid and effectual as if such person had been duly qualified or entitled; and no person enrolled on the Burgess Roll for the time being of any Borough, and who shall act as Mayor, Alderman, Councillor, Auditor or Assessor in that Borough, shall be liable to any penalty for so acting, on the ground that he was not entitled to be on the Burgess List of such Borough. Proviso.

And be it Enacted, That if any person who shall have or claim to have any right to vote in any election of Mayor, or of an Alderman, Councillor, Auditor or Assessor of any Borough *named in the said Schedule (A.)*, shall, after the passing of this Act, ask or take any money or other reward by way of gift, 5 loan or other device, or agree or contract for any money, gift, office, employment or other reward whatsoever, to give or forbear to give his vote in any such election, or if any person, by himself or any person employed by him, shall, by any gift or reward, or by any promise, agreement or security for any gift or reward, corrupt or procure, or offer to corrupt or procure, any person to give or forbear to give his vote in any such election, such person so 632. 63.
Persons convicted of
Bribery disqualified from
voting at any
Election for
Members of
the Council.

offending in any of the cases aforesaid shall for every such offence forfeit the sum of Fifty Pounds, to be recovered, together with full costs of suit, by any one who shall sue for the same, by action of debt, bill, plaint or information, in any of Her Majesty's Courts of Record at Dublin; and any person offending in any of the cases aforesaid, being lawfully convicted thereof, shall for ever be disabled to vote in any election in such Borough, or in any Municipal or Parliamentary election whatever in any part of the United Kingdom, and also shall for ever be disabled to hold, exercise or enjoy any office or franchise to which he then shall or at any time afterwards may be entitled as a Burgess of such or any other Borough, as if such person was naturally dead: Provided nevertheless, That if any person offending in any of the cases aforesaid shall, within the space of Twelve calendar Months next after such election as aforesaid, discover any other person or persons offending in any of the cases aforesaid, so that such person or persons so discovered to be therein convicted, such person so discovering, and not having been before that time convicted of any such offence, shall be indemnified and discharged from all penalties and disabilities which he shall then have incurred by any such offence.

Persons offending in any of the cases aforesaid discovering others so offending, within Twelve Months, discharged from all Penalties.

64.

No Person to be made liable to incapacity or Penalty, unless Prosecution commenced within Two Years.

Provided always, and it is hereby Enacted, That no person shall be made liable to any incapacity, disability, forfeiture or penalty by this Act imposed in any of the cases aforesaid, unless prosecution be commenced within One Year after such incapacity, disability, forfeiture or penalty shall be incurred; any thing herein contained to the contrary notwithstanding.

65.

Questions to be decided by a majority of Councillors present; One-third Part of the whole number to be a Quorum.

And be it Enacted, That all Acts whatsoever authorized or required by virtue of this Act to be done by the Council of any Borough *named in the said Schedule (A.)*, and all questions of adjournment or others that may come before such Council, may be done and decided by the majority of the members of the Council who shall be present at any meeting held in pursuance of this Act, the whole number present at such meeting not being less than One-third part of the number of the whole Council; and at all such meetings the Mayor, if present, shall preside; and the Mayor, or, in case of the absence of the Mayor, such Alderman or Councillor as the members of the Council then assembled shall choose to be the Chairman of that meeting, shall have a second or casting vote in all cases of equality of votes; and minutes of the proceedings of all such meetings shall be drawn up and fairly entered into a book to be kept for that purpose, and shall be signed by the Mayor, Alderman or Councillor presiding at such meeting; and the said minutes shall be open to the inspection of any Burgess at all reasonable times on payment of a fee of One Shilling: *and any Burgess shall be at liberty at all seasonable times to make*

any

any copy or take any extract from such book: Provided always,
 That previous to any meeting of the Council held by virtue of
 this Act, a notice of the time and place of such intended meeting
 shall be given Three clear Days at least before such meeting, by
 fixing the said notice on or near the door of the Town Hall of
 the Borough; and such notice shall be signed by the Mayor, who
 shall have power to call a meeting of the Council as often as he
 shall think proper; and in case the Mayor shall refuse to call any
 such meeting after a requisition for that purpose signed by Five
 Members of the Council at the least shall have been presented to
 him, it shall be lawful for the said Five Members to call a meeting
 of the Council by giving such notice as is hereinbefore required in
 that behalf, such notice to be signed by the said members instead of
 the Mayor, and stating therein the business proposed to be trans-
 acted at such meeting; and in every case a summons to attend the
 Council, specifying the business proposed to be transacted at such
 meeting, signed by the Town Clerk, shall be left at the usual place
 of abode of every member of the Council, or at the premises in
 respect of which he is enrolled a Burgess, Three clear Days at the
 least before such meeting; and no business shall be transacted at
 such meeting other than is specified in the notice: Provided always,
 That there shall be in every Borough Four quarterly meetings in
 every year at which the Council shall meet for the transaction of
 general business, and no notice shall need to be given of the business
 to be transacted on such quarterly days; and the said quarterly
 meetings shall be holden at noon on the First day of November,
 and at such hour on such other Three days before the Twenty-
 fifth day of October then next following as the Council at the
 quarterly meeting in November shall decide; and the first busi-
 ness transacted at the quarterly meeting in November shall be the
 election of Mayor.

And be it Enacted, That the Council of every Borough *named*
in the said Schedule (A.) in ⁽¹⁾ *the year in which this Act shall come*
into operation shall appoint, to be removable at their pleasure, a fit
 person, not being a member of the Council, to be the Town Clerk of
 such Borough, and *in every year* one other fit person, not being a
 member of the Council, to be the Treasurer of the Borough, and also
 such other officers as have been usually appointed in such Borough, or
 as they shall think necessary for enabling them to carry into execution
 the various powers and duties vested in them by virtue of this Act, and
 may from time to time discontinue the appointment of such officers
 as shall appear to them not necessary; and shall take such security
 for the due execution of his office by any such Town Clerk, Treas-
 urer or other officer, as the said Council shall think proper; and
 shall

66.
 Power to
 Council to
 appoint Town
 Clerk, Treas-
 urer, and
 other Officers,
 and to take
 security for
 due discharge
 of their
 official duties.

(¹) every

shall order to be paid to the Mayor, and to the Town Clerk and Treasurer, and to every such other officer to be employed as aforesaid, such salary or allowance as the said Council shall think reasonable; and in case of a vacancy in any such office as aforesaid, by death, resignation, removal or otherwise, the Council of such Borough may appoint another fit person in the place of the person so making such vacancy; provided that the Town Clerk and Treasurer shall not be the same person.

67.

Officers to
account, &c.
according to
the Orders
of the Coun-
cil.

And be it Enacted, That every Treasurer, Town Clerk or other officer appointed by the Council as aforesaid shall, at such times during the continuance of his office, or within Three calendar Months after the expiration of his office, and in such manner as the said Council shall direct, deliver to the Council or to such person as they shall authorize for that purpose, a true account in writing of all matters committed to his charge by virtue of this Act, or under colour of his office, and also of all monies which shall have been by him received by virtue or for the purposes of this Act, or under colour of his office, and how much thereof shall have been paid and disbursed, and for what purposes, together with proper vouchers for such payments, and also a list of the names of all such persons as shall not have paid the monies due from them for the purposes of this Act, and of the amount due from each of them; and every such officer shall pay all such monies as shall remain due from him to the Treasurer for the time being, or to such person as the said Council shall authorize to receive the same; and if any such officer shall refuse or wilfully neglect to deliver such account, or the vouchers relating to such account, or such list as aforesaid, or to make payment as aforesaid, or shall refuse or wilfully neglect to deliver to the said Council, or to such person as they shall authorize, within Three Days after being thereunto required by notice in writing under the hands of any Three or more of the said Council, to be given to or left at the last place of abode of such officer, all books, papers and writings in his custody or power, relating to the execution of this Act, or to give satisfaction to the said Council, or to such other person as aforesaid, respecting the same, then and in every such case, upon complaint made on behalf of the said Council, by such person as they shall authorize for that purpose, of any such refusal or wilful neglect as aforesaid, to any Justice of the Peace for the County, or other jurisdiction wherein such officer so refusing or neglecting shall be or reside, such Justice is hereby authorized and required to issue a warrant under his hand and seal for bringing such officer before any Two Justices of the Peace for such County or jurisdiction; and upon the said officer appearing, or not being found, it shall be lawful for such Justices to hear and determine the matter in a summary way; and if it shall appear to such Justices that

Summary
remedy
against
Officers for
not account-
ing, &c.

71

72

any

any monies remain due from such officer, such Justices may and they are hereby authorized and required, upon nonpayment thereof, by warrant under their hands and seals, to cause such monies to be levied by distress and sale of the goods of such officer; and if sufficient goods shall not be found to satisfy the said monies, and the charges of the distress, or if it shall appear to such Justices that such officer has refused or wilfully neglected to deliver such account, or the vouchers relating thereto, or such list as aforesaid, or that any books, papers or writings relating to the execution of this Act remain in the hands or in the custody or power of such officer, and that he has refused or wilfully neglected to deliver the same, or to give satisfaction respecting the same as aforesaid, then and in every such case such Justices shall and they are hereby required to commit such offender to the Common Gaol or House of Correction for the County or jurisdiction where such offender shall be or reside, there to remain without bail until he shall have paid such monies as aforesaid, or shall have compounded with the said Council for such monies, and shall have paid such composition in such manner as they shall appoint (which composition the said Council are hereby empowered to make and receive); or until he shall have delivered a true account as aforesaid, together with such vouchers and list as aforesaid, or until he shall have delivered up such books, papers and writings, or have given satisfaction in respect thereof to the said Council, or to such other person as aforesaid, as the case may be: Provided always, That no person so committed shall be detained in prison for want of sufficient distress only, for a longer space of time than Three calendar Months: Provided also, That nothing in this Act contained shall prevent or abridge any remedy by action against any such officer so offending as aforesaid, or against any surety for any such officer, but such officer shall not be sued by action and also proceeded against in a summary manner by virtue of this Act for the same cause.

Proviso.

Remedy by Action.

And be it Enacted, That the Council elected under this Act in any Borough *named in the said Schedule (A.)*, shall have power to remove from his office every Town Clerk, Bailiff, Treasurer or Chamberlain, and every other ministerial or executive officer of such Borough and Body Corporate, except the Sheriff, who shall be in office at the time of the first election of Councillors under this Act; and every such Town Clerk, Bailiff, Treasurer or Chamberlain, and every other ministerial or executive officer in such Borough, shall continue to act in the same capacity as heretofore, and to execute all the duties heretofore belonging to his office, and be entitled to have the same salaries, fees and emoluments as he would have had if this Act had not passed,

67.
Officers to continue until removed.

until he shall be removed from his office, and no longer, unless he shall be re-appointed according to the provisions of this Act ; and every officer who shall be in possession or receipt of any monies, goods, valuable securities, books or papers belonging to or concerning the Body Corporate whose officer he is shall deliver up and account for the same to the Council of such Body Corporate appointed under this Act ; and in case they or any of them shall refuse or wilfully neglect to deliver such accounts, vouchers and lists, or to make such payments, or to deliver such books, papers and writings, or to give satisfaction respecting the same, as is hereinbefore provided in the case of officers appointed by such Council, they and every of them may be proceeded against, and shall be subject and liable to the several provisions hereinbefore contained in cases of officers appointed by such Council ; and all the charters, deeds, muniments and records of every Borough, or relating to the property thereof, shall be kept in such place as the Council from time to time shall direct, and the Town Clerk for the time being shall have the charge and custody of and be responsible for the same. 76

68.

Officers to
receive Com-
pensation on
removal.

And be it Enacted, That every officer of any Borough *named in the said Schedule (A.)* or of any County, who shall be in any office of profit at the time of the passing of this Act whose office shall be abolished, or who shall be removed from his office under the provisions of this Act, or who shall not be re-appointed as aforesaid, shall be entitled to have an adequate compensation, to be assessed by the Council and paid out of the Borough Fund, for the salary, fees and emoluments of the office which he shall so cease to hold, regard being had to the manner of his appointment to the said office, and his term or interest therein, and all other circumstances of the case ; and every person entitled to such compensation as aforesaid shall deliver to the Town Clerk, or in case such person shall himself be Town Clerk, then to the Treasurer of the Borough, a statement under the hand of such person setting forth the amount received by him or his predecessors in every year during the period of Five Years next before ⁽¹⁾ this Act *shall come into operation in such Borough*, on account of the salary, fees, emoluments, profits and perquisites in respect whereof he shall claim such compensation, distinguishing the office, place, situation, employment or appointment in respect whereof the same shall have been received, and containing a declaration that the same is a true statement according to the best of the knowledge, information and belief of such person, and also setting forth the sum claimed by him as such compensation ; and the Town Clerk 77

(¹) the passing of

Clerk or Treasurer, as the case shall be, shall lay such statement before the Council, who shall take the same into consideration, and determine thereon; and immediately upon such determination being made, the person preferring such claim, if he shall not himself be the Town Clerk, shall be informed thereof by notice in writing under the hand of the Town Clerk; and in case such claim shall be admitted in part and disallowed in part, such notice shall specify the particulars in which the same shall have been admitted and disallowed respectively; and in case the person preferring such claim shall think himself aggrieved by the determination of the Council thereon, or in case One-third of the members of the Council shall subscribe a protest against the amount of compensation allowed by the determination of the Council as excessive, it shall be lawful for the person preferring such claim, or any member of the Council who shall subscribe such protest, to appeal to the Commissioners of Her Majesty's Treasury, who shall thereupon make such order as to them shall seem just; and such order, signed by Three or more of such Commissioners, shall be binding on all parties: Provided always, That if the Council shall not determine on such claim within Six calendar Months after the aforesaid statement shall be delivered to the Town Clerk or Treasurer, as the case shall be, such claim shall be considered as admitted: Provided also, That it shall not be lawful for any member of the Council to subscribe such protest as aforesaid except within such period of Six calendar Months: Provided also, That the person preferring such claim, if any member of the Council shall so require, upon receiving notice in writing signed by the Town Clerk, unless such person shall himself be Town Clerk, in which case no such notice shall be requisite, shall from time to time attend at any meeting or adjourned meeting of the Council for the investigation of such claim, and then and there, upon his oath or solemn affirmation, or his declaration, to be taken or made before the Mayor (who is hereby authorized to administer the same), shall answer all such questions as shall be asked by any member of the Council touching the matters set forth in the statement subscribed by such person as aforesaid, and produce all books, papers and writings in his possession, custody or power relating thereto: *Provided also, That it shall be lawful for any such Town Clerk to include in the Amount of Compensation to be so claimed by him not only the salary and just emoluments of his office of Town Clerk, but also the profits derived from the performance of legal business of the Body Corporate of the Borough in which he shall be such Town Clerk, executed by him in his official capacity, and the just emoluments of any other Corporate appointment held by such Town Clerk, and usually held in conjunction with or attached or annexed to the office of Town Clerk: Provided also, That in any case*

in which such Town Clerk or any other officer of any such Borough shall hold his office for life or during good behaviour, or where the usage has been such as to raise a just expectation that the office shall continue for the life of the holder, a compensation of not less than Two-thirds of his profits may be granted to such officer, calculated upon an average of his just emoluments, or those of his predecessors, for the Five Years next before this Act shall come into operation in such Borough previous to the First of January preceding the passing of this Act: Provided also, That every such officer who shall be continued in or re-appointed to such office under the provisions of this Act, and who shall be subsequently removed from such office for any cause other than such misconduct as would warrant removal from any office held during good behaviour, shall be entitled to compensation in like manner as if he had been forthwith removed under the provisions of this Act, and had not been continued in or re- 80 appointed to such office.

69.

Compensation
to be secured
by bond under
Common Seal.

And be it Enacted, That the value of the sum payable to any person as such compensation as aforesaid, if not forthwith paid, shall be secured to such person by bond or obligation under the common seal of the Borough out of whose funds the same shall be payable, in a sufficient penalty, conditioned for the payment to such person, his executors or administrators or assigns, of the value of such sum, with interest, and all arrears thereof (if any) accrued due before the date of such bond; and such bond or obligation shall be prepared and executed at the expense of the Borough Fund, and delivered to the person entitled to such compensation as soon as conveniently may be after the amount thereof shall have been admitted as aforesaid by the Council of the Borough, or shall have been determined, in the event of such appeal as aforesaid, by order of the said Commissioners of Her Majesty's Treasury.

70.

Reservation
of certain
Pensions and
Allowances.

And be it Enacted, That all pensions and allowances granted on or before the Fifth day of June One thousand eight hundred and Thirty-five, by the Corporate Body named in the said ⁽¹⁾ *Schedule (A.)* in conjunction with any Borough, to any retired officer or servant, *or to any officer by permanent infirmity* 81 *rendered incapable of performing the duties of his office*, or to the widow or child of any officer or servant, and all stipends and allowances which during Seven Years next before the said Fifth day of June have been usually paid and granted to the Minister or late Minister of any Church or Chapel, or to the Master or Usher of any School, or to the Governor or Master of any Hospital within such Borough; and all charitable allowances which have been usually paid as aforesaid to the inmates of any almshouses by such Corporate

(¹) Schedules

Corporate Body, shall be secured, as soon as conveniently may be after the passing of this Act, to every person entitled or accustomed to have and receive the same, by bond or obligation under the common seal of the Borough out of whose funds the same shall be payable, in a sufficient penalty, conditioned for the payment to such person, his executors and administrators, of such pension, stipend or allowance, with all arrears thereof, if any, accrued due before the date of such bond; and such bond or obligation shall be prepared and executed at the expense of the Borough Fund.

82 And be it Enacted, That it shall be lawful for the Council of any Borough to appoint out of their own Body from time to time such and so many Committees, either of a general or special nature, and consisting of such number of persons as they may think fit, for any purposes which in the discretion of such Council would be better regulated and managed by means of such Committees: Provided always, That the acts of every such Committee shall be submitted to the Council for their approval.

71.
Power to
Council to
appoint Com-
mittees.

AND whereas it is expedient that the administration of any real or personal estate of which any Body Corporate now⁽¹⁾ stands seised or possessed in trust as to the whole or in part for certain charitable trusts be kept distinct from that of the public stock and Borough fund; BE it Enacted, That in every Borough *named in the said Schedule (A.)* in which the Body Corporate or any one or more of the Members of such Body Corporate, in his or their corporate capacity,⁽²⁾ or *any person or Persons elected from among or out of the members or any of the members of such Body Corporate, or any person or persons elected solely by such Body Corporate, or solely by any particular member, class or description of members, of such Body Corporate, now stands or stand solely or together with any other*
83 *Body or Bodies Corporate, person or persons,* seised or possessed for any estate or interest whatsoever of any hereditaments, or any sums of money, chattels, securities for money, or any other personal estate whatsoever, in whole or in part, in trust or for the benefit of any charitable uses or trusts whatsoever, all the estate, right, interest and title, and all the powers of such Body Corporate,⁽³⁾ *in cases where the Body Corporate shall be such Trustee, shall on the day on which this Act shall come into operation in any such Borough be and are hereby vested, and until Parliament shall otherwise provide shall continue vested, in the persons who shall on the*
same

72.
Charitable
Trustees.

(1) stand

(2) now stands or stand solely or together with

(3) or

same day have been the Mayor, Aldermen and Common Council or other governing Officers of such Body Corporate, alone or together with the Body or Bodies Corporate, person or persons who shall have been seised or possessed of or entitled to exercise the same together with such Body Corporate (as the case may be), and in all other cases all the estate, right, title and interest, and all the powers of such member or members ⁽¹⁾ of such Body Corporate, or of any such person or persons elected as aforesaid, in respect of the said uses and trusts, shall, until Parliament shall otherwise provide, continue in the persons who at the time of ⁽²⁾ this Act coming into operation ⁽³⁾ shall be such Trustee or Trustees as aforesaid, notwithstanding that ⁽⁴⁾ he or they, or such of them as shall have been a member or members of a Body Corporate as aforesaid, may have ceased to hold any office by virtue of which before the passing of this Act he or they was or were such Trustee or Trustees, ⁽⁵⁾ and notwithstanding that he or they or any of them (whether a member or members of any such Body Corporate or a person or persons elected as aforesaid) may have gone out of office at any time after the day on which this Act shall have come into operation in such Borough, or otherwise would have ceased, if this Act had not been made, to be such Trustee or Trustees: Provided always, That if any vacancy shall be occasioned among ⁽⁶⁾ such Charitable Trustees for any Borough before ⁽⁷⁾ any other provision shall be made by Parliament, it shall be lawful for the Lord Chancellor of Ireland, or Lords Commissioners for the Custody 84 of the Great Seal, then for the time being, upon petition in a summary way, to appoint ⁽⁸⁾ a fit person to be Trustee to supply such vacancy ⁽⁹⁾; and all the estate, right, interest and title at law and in

⁽¹⁾ Nominee or Nominees

⁽²⁾ the passing of

⁽³⁾ are

⁽⁴⁾ they

⁽⁵⁾ until the First day of May in the year next after the year in which this Act shall come into operation in such Borough, or until Parliament shall sooner otherwise order, and shall immediately thereupon utterly cease and determine:

⁽⁶⁾ the

⁽⁷⁾ the said First day of May

⁽⁸⁾ another

⁽⁹⁾ and every person so appointed a Trustee as last aforesaid shall be a Trustee until the time at which the person in the room of whom he was chosen would regularly have ceased to be a Trustee, and he shall then cease to be a Trustee: Provided also, That if Parliament shall not otherwise direct, on or before the said First day of May the Lord Chancellor of Ireland or Lords Commissioners of the Great Seal then shall make such orders as he or they shall see fit for the appointment of a Trustee or Trustees, and the administration of such trust

85 in equity of and in such trust estates, hereditaments and premises, shall forthwith, without any conveyance or assignment thereof, pass to and be vested in the Trustee⁽¹⁾ so appointed⁽²⁾ jointly with the other Trustee or Trustees: *Provided always, That where any hereditaments or any sums of money, debts or securities for money, or any other personal estate, held upon any charitable uses or trusts as aforesaid, or any part thereof, shall be exclusively applicable to or towards the establishment, maintenance or support of religious education or religious worship according to the principles of the Protestant Church of the United Kingdom of Great Britain and Ireland, or according to the principles of any Protestant Dissenters, or for the benefit of any person or persons being Protestants or any class or denomination of Protestant Dissenters, or otherwise for purposes relating to and for the benefit of the Protestant Religion, no person professing the Roman Catholic Religion shall be appointed by the Lord Chancellor or Lords Commissioners for the custody of the Great Seal to be a Trustee of such hereditaments or personal estate or any part thereof; and if any person who shall be appointed such Trustee shall at any time thereafter profess the Roman Catholic Religion, he shall thereupon cease to be such Trustee, and all his estate, right, title and interest, power and authority, in, to, over and upon such real and personal estate shall cease and determine; and such real and personal estate, power and authority, shall thereupon vest in his co-trustees in like manner as if he had died: Provided also, That nothing herein contained shall extend or be construed to extend to any Corporation of a House of Industry, Fever Hospital or County Infirmary in Ireland, or to the President and Assistants of the Charitable Society of Belfast, or to the Hospital and Free School of King Charles the Second, Dublin, commonly called the Blue Coat Hospital, or any real or personal estate belonging thereto.*

AND whereas by Letters Patent of King Charles the Second, bearing date the Fifth day of December, in the Twenty-third year of his reign, the Lord Mayor, Sheriffs, Commons and Citizens of the City of Dublin and their Successors, are constituted a Body Politic and Corporate by the name of "The Governors of the Hospital and Free-school of

73.
CLAUSE (T.3.)
Standing
Governors of
the Blue-coat
Hospital,
Dublin, at the
time of this
Act coming
into operation,
to be

trust estate, subject to such charitable uses or trusts as aforesaid; and thereupon the Trustee or Trustees so appointed shall come in the room of the Body Corporate, or of such member or members, nominee or nominees of such Body Corporate as aforesaid, as to such trust estates, hereditaments and premises

(¹) or Trustees

(²) by the Lord Chancellor or Lords Commissioners of the Great Seal in Ireland.

constituted a
body politic
in place of
the Lord
Mayor,
Sheriffs, &c.

of King Charles the Second, Dublin:” AND whereas the government, management and direction of the said Hospital and Free-school are now exercised by Sixty-one standing Governors (whereof Four are the Treasurer for the time being and Three other Governors of the Schools founded by Erasmus Smith, Esquire), appointed by the Governors of the said School, in pursuance of an Act of the Parliament of Ireland, made in the tenth year of the reign of King George the First; BE it further Enacted, That from and immediately after this Act shall come into operation in the said City of Dublin, the persons who at that time shall be the Governors of the said Hospital, and the survivors of them, and their successors, to be appointed in manner hereinafter mentioned, shall be and they are hereby constituted a Body Politic and Corporate by the aforesaid name of “The Governors of the Hospital and Free-school of King Charles the Second, Dublin,” in the place and stead of the said Lord Mayor, Sheriffs, Commons and Citizens of the said City of Dublin, who shall no longer be such Body Politic and Corporate, in like manner, to all intents and purposes, as if the said Sixty-one persons and the survivors of them and their successors, had been the persons appointed by virtue of the said Letters Patent instead of the said Lord Mayor, Sheriffs, Commons and Citizens, and all and singular the hereditaments, sums of money, chattels, securities for money and other personal estate of the said Body Corporate constituted by the said Letters Patent, and all the estate, right, interest and title, and all the rights, powers, privileges and immunities of such Body Corporate; and all rights of action and suit vested in such Body Corporate shall be and are hereby vested in the Body Corporate, hereby constituted in the place and stead thereof; and the Body Corporate hereby constituted shall be subject to the same liabilities, and governed according to the same regulations as the Body Corporate appointed by the said Letters Patent shall be subject to and governed by: Provided always, That the Treasurer for the time being and Three other Governors of the Schools founded by the said Erasmus Smith, such as the Governors of the said Schools shall from time to time choose and appoint, shall and they are hereby declared to be standing Governors of the said Hospital, in like manner as by the said Act of the tenth year of the reign of King George the First they were made Governors of the said Hospital: Provided also, That the Governors of the said Hospital hereby constituted shall never consist of less than Fifty, and that when and so often as any of the Governors hereby appointed or to be appointed as hereinafter is mentioned, (other than the said Treasurer and Three other Governors of the said Schools founded by the said Erasmus Smith) shall depart this life, then it shall be lawful for the surviving Governors for the time being, or the major part of them present at any meeting duly held for that purpose, and they are hereby empowered to elect One or more person or persons in the place or places and as a successor or successors of the deceased Governor or Governors, or any

of

of them, so as to make up with the surviving Governors the number at the least of Sixty Governors, including the said Treasurer and Three other Governors of the said Schools founded by the said Erasmus Smith; and every person so elected a Governor shall be a Governor jointly with the surviving Governors for the time being, and shall have the same powers and authorities as if he had been appointed a Governor by this Act.

And be it further Enacted, That from and immediately after this Act shall come into operation in the said City of Dublin, so much of the said Act of Parliament, passed in the Tenth year of the reign of King George the First as provides that the Lord Mayor and Recorder of the City of Dublin, then and for the time being, and two of the Aldermen of the said City, such as the Governors of the Schools founded by Erasmus Smith, Esquire, should from time to time select and appoint, should for ever thereafter be standing Governors of the said Schools, shall be and the same is hereby repealed; and that Four of the Governors for the time being of the said Hospital and Free School of King Charles the Second, Dublin, such as the Governors of the said Hospital and Free School for the time being, or the major part of them, shall from time to time select and appoint, shall for ever thereafter be standing Governors of the said Schools founded by the said Erasmith Smith.

(¹)

And be it further Enacted, That in every Borough named in the said Schedule (A.) in which the Body Corporate solely or together with any

74.

CLAUSE (V.3.)
Four Governors of the Blue-coat Hospital to be appointed Governors of Erasmus Smith's Schools in place of the Lord Mayor, Recorder, &c.

75.

CLAUSE (N.)
Provisions respecting certain Trusts under Acts of Parliament.

(¹) And be it Enacted, That from and after the time when this Act shall come into operation in any Borough, the Body Corporate of such Borough shall be Trustees for executing by the Council of such Borough the powers and provisions of all Acts of Parliament made before the passing of this Act (other than Acts made for securing charitable uses and trust), and of all trusts (other than charitable uses and trusts, and other than Acts authorizing the erection or establishment of works at the joint expense and for the joint benefit of such Corporate Body and any other public Body, or of such Corporate Body and any person or persons in his or their private capacity) of which the Body Corporate, or any member or members of the said Body Corporate, in their Corporate capacity, was or were sole Trustees before the time of the first election of Councillors in such Borough under this Act.

72.

And be it further Enacted, That in every case in which any Body Corporate named in the Schedule (A.) to this Act annexed,

73.

632.

G

or

any other Body or Bodies Corporate or person or persons is or are Trustee or Trustees for any purposes other than charitable uses or trusts, or is or are authorized to exercise any powers or provisions of any Acts of Parliament now in force for supplying Water or Gas, or for any other purpose or purposes producing profits which, or part of which, are to be divided between Shareholders or Proprietors or other persons for their own benefit, all the estate, right, title and interest in or to any hereditaments or personal estate held in whole or in part upon such trusts, and all the powers of such Body Corporate, solely or together, for the purpose or purposes aforesaid, shall, on the day on which this Act shall commence as hereinafter is mentioned, be and is hereby vested and shall continue until Parliament shall otherwise provide, to be vested in the persons who shall on the preceding day have been the Mayor, Aldermen and Common Council, or other governing Officers of such Body Corporate, alone or together with the Body or Bodies Corporate, person or persons who shall have been a joint Trustee or joint Trustees together with such Body Corporate aforesaid, as the case may be; and in every such Borough in which one or more of the members of such Body Corporate, in his or their Corporate capacity, or any person or persons elected from among or out of the members or any of the members of such Body Corporate, or any person or persons elected solely by such Body Corporate, or solely by any particular member, class or description of members of such Body Corporate, is or are Trustee or Trustees for any purposes other than charitable purposes, or is or are authorized to exercise any powers or provisions of any Acts of Parliament now in force for supplying Water or Gas, or for any other purpose or purposes producing profits which, or part of which, are to be divided between Shareholders or Proprietors, or other persons for their own benefit, all the estate, right, title and interest in or to any hereditaments or personal estate, held in whole or in part upon such trusts, and all the powers of such member or members of such Body Corporate, or any such person or persons
elected

or any person or persons elected by any such Body Corporate, is or are Trustee or Trustees authorized to exercise any power or provisions of any Acts of Parliament for any purpose producing profits which or part of which are or is to be divided between shareholders or proprietors for their own benefit, then the powers and provisions of all such Acts shall, until Parliament shall otherwise provide, be executed by such Trustees as the Lord Chancellor of Ireland or Lords Commissioners for the custody of the Great Seal for the time being shall, by order to be from time to time made upon petition in a summary way, appoint and select, regard being had in such appointment to the rights of the several parties interested.

elected as aforesaid, solely or together, for the purpose or purposes aforesaid, shall, solely or together as aforesaid, until Parliament shall otherwise provide, continue in the person or persons who shall on the preceding day be such Trustee or Trustees as aforesaid, notwithstanding that he or they or such of them as shall have been a member or members of a Body Corporate as aforesaid may have ceased to hold any office by virtue of which, before the passing of this Act, he or they were such Trustee or Trustees, and notwithstanding that he or they or any of them (whether a member or members of any such Body Corporate, or a person or persons elected as aforesaid), would have gone out of office at any time after the commencement of this Act, or otherwise have ceased to be such Trustee or Trustees: Provided always, That if any vacancy shall be occasioned among such Trustees for any Borough before any other provision shall be made by Parliament, it shall be lawful for the Lord Chancellor of Ireland or Lords Commissioners for the Custody of the Great Seal for the time being, upon petition in a summary way, to appoint a fit person to be a Trustee to supply such vacancy; and every person so appointed a Trustee as last aforesaid shall be a Trustee until the time at which the person in the room of whom he was chosen would regularly have ceased to be a Trustee, and he shall then cease to be a Trustee.

And be it Enacted, That from and after the time when this Act shall come into operation in any Borough named in the said Schedule (A.) in which any one or more of the members of the Body Corporate, or any person or persons elected from among or out of the members of such Body Corporate or any of them, or any person or persons elected by such Body Corporate, or a particular or limited number, class or description of members of the Body Corporate,⁽¹⁾ is or are or shall be when this Act shall so come into operation Trustees jointly with other Trustees for the execution of any Act of Parliament, or of any Trust⁽²⁾ other than any Act or Trust for which any other provision is hereby made, or by any Statute, Charter, Bye Law, or Custom,⁽³⁾ is or are or shall be when this Act shall so come into operation lawfully appointed to or authorized to exercise⁽⁴⁾ any powers, duties, or functions whatsoever not otherwise herein provided for, and the continuance of which is not inconsistent with the provisions

76.

As to election of a limited number of Councillors to be joint Trustees for certain purposes.

⁽¹⁾ or of persons appointed by the Body Corporate, was or were before the passing of this Act

⁽²⁾ in which any particular or limited number, class or description of members or nominees of the Body Corporate

⁽³⁾ was or were before the passing of this Act

⁽⁴⁾ exercised

provisions of this Act,⁽¹⁾ such acts, trusts, powers, duties and functions shall, after this Act shall have come into operation, be executed, exercised and performed by the member or members to be elected in pursuance of this Act of such Body Corporate, or the person or persons who shall hereafter correspond in office, mode of election and number with the member or members, person or persons by whom the same are or ought to be executed, exercised and performed before this Act shall have so come into operation; and in case there shall be no member or members or person or persons after this Act shall have so come into operation who shall correspond as aforesaid with such last-mentioned member or members, person or persons, then the Council of the Body Corporate shall, by writing under the seal of the Body Corporate, appoint the member or members, person or persons who in their judgment shall most nearly correspond with such member or members, person or persons, to execute, exercise and perform such acts, trusts, powers, duties and functions; and the member or members, person or persons so appointed are hereby authorized and empowered to execute, exercise and perform the same as fully and effectually as the member or members, person or persons by whom the same are or ought to be executed, exercised and performed before this Act shall have so come into operation; and in every case in which any such member or members, person or persons as aforesaid is or are in pursuance of any such statute, charter, bye-law, custom, deed, will, or otherwise, elected or appointed for a definite term of years or other shorter term, then on the day or time named in such Act, charter, bye-law, deed or will as last aforesaid ⁽²⁾ for a new election, nomination or appointment of Trustees, or on which such new election, nomination or appointment has usually been made, ⁽³⁾ some other member or members, person or persons, or the same or any of them, if re-eligible, shall be elected as ⁽⁴⁾ nearly as may be ⁽⁵⁾ of the like number ⁽⁶⁾ and in the like manner as the member or members, person or persons ceasing to be Trustees,
or

⁽¹⁾ the Council of such Borough

⁽²⁾ or in the deed or will by which such trust is created

⁽³⁾ (and if there shall be no such day named or usually served, then on the First Day of January in every year,) shall appoint the like number of members of the Council, or

⁽⁴⁾ near

⁽⁵⁾ to

⁽⁶⁾ of Members of the Council as there were theretofore members or nominees of such Corporate Body who in right of their office were such Trustees, or charged with the execution of such powers, duties and functions, in room of the members or nominees of such Corporate Body

or ceasing to exercise such powers, duties and functions, ⁽¹⁾ *and in whose room he or they shall be appointed*, and in every case of extraordinary vacancy among ⁽²⁾ *such* Trustees or persons, ⁽³⁾ *another person shall be elected to supply such vacancy in like manner as nearly as may be as such extraordinary vacancy would have been supplied before this Act shall have so come into operation as aforesaid, or where such vacancy cannot be supplied in such or the like manner*, the Council shall
87 forthwith appoint ⁽⁴⁾ *a Member* ⁽⁵⁾ *or person* in the room of the member or person by whom such vacancy has been made, and ⁽⁶⁾ *every member or person appointed to supply an extraordinary vacancy shall hold his trust or office for such time as the person by whom such vacancy has been made would regularly have held it.*

And be it Enacted, That notwithstanding any thing in this Act contained, every member of any Body Corporate ⁽⁷⁾ *or of any particular number, class or description of Members of such Body Corporate, or any person or persons elected from among or out of the members of such Body Corporate or any of them, or any person or persons elected by any particular number, class or description of members, of such Body Corporate*, who at the time of the passing of this Act shall be ⁽⁸⁾ *a Trustee of such acts or trusts as last aforesaid*, shall continue to be such Trustee until the time when he would have ceased to be such Trustee if this Act had not been passed, ⁽⁹⁾ *whether for a definite number of years or other shorter term, or for life, or for so long as he shall be a member, or of a particular class or description of such Body Corporate*, ⁽¹⁰⁾ *or other indefinite time*; and in case any particular ⁽¹¹⁾ *officer of any of the said Bodies Corporate* shall have been appointed by any ⁽¹²⁾ *Act, (13) charter, bye-law, deed,*
will

75.
Present Trustees of certain Acts continued for a definite time.

⁽¹⁾ by virtue of this Act, ⁽²⁾ the ⁽³⁾ so appointed by
⁽⁴⁾ One other ⁽⁵⁾ of the Council ⁽⁶⁾ to
⁽⁷⁾ who in his corporate capacity, and every nominee of any Body Corporate,

⁽⁸⁾ for a definite number of years or other shorter time
⁽⁹⁾ and if a Trustee for an indefinite time,
⁽¹⁰⁾ then until the First day of January in the year following that in which this Act shall come into operation in that Borough, and no longer; and every member of the Council appointed under the provisions of this Act to be a Trustee of such acts or trusts as last
88 aforesaid, shall continue to be such Trustee until the time herein provided for the new appointment of a member of the Council to be Trustee in his room, notwithstanding that he may have ceased to be a member of the Council;

⁽¹¹⁾ Member or ⁽¹²⁾ such ⁽¹³⁾ or by any such Trust

(¹) will or custom as (²) aforesaid, to perform (³) any specific trusts, powers, duties or functions whatsoever, the person who at the time of the passing of this Act shall be the person designated and qualified to perform the same, shall continue to perform the same until the time when he would have ceased to perform the same if this Act had not passed. (⁴)

78.

CLAUSE (O.)
Provisions of
certain Local
Acts not to
be altered or
affected.

And be it further Enacted, That nothing in this Act contained shall alter or affect the Provisions of any Local Act or Acts of Parliament made before the passing of this Act, for lighting, watching, cleansing, paving, supplying with water, or otherwise relating to any Borough or Town named in the said Schedule (A.) to this Act annexed, further or otherwise than as the same are inconsistent with or contrary to the provisions of this Act.

79.

Powers
vested in
Trustees may
be transferred
to Council-
lors.

AND whereas it may be expedient that the Powers now vested in the Trustees appointed under sundry Acts of Parliament for paving or lighting or cleansing, or supplying with Water, or improving certain Boroughs, or certain Parts thereof, save and except as hereinafter mentioned, should be transferred to and vested in the Councils of such Boroughs respectively; BE it Enacted, That the Trustees appointed by virtue of any such Act as last aforesaid, wherein the Trustees, or the Persons whose Trustees they may be, are not beneficially interested, may, if it shall seem to them expedient at a Meeting to be called for that purpose, transfer in writing all the powers vested in them as such Trustees by any such Act or Acts as aforesaid to the said Body Corporate of such Borough; and the said Body Corporate of such Borough shall thenceforth be Trustees for executing by the Council of such Borough the several powers and provisions of any such Act or Acts of Parliament, and the Members of the Council shall have the same powers and be subject to the same duties as if their names had been originally inserted in such Act or Acts (or as if they had been elected under the provisions of any such Act or Acts) as such Trustees respectively: Provided always, That nothing herein contained shall extend to enable the Commissioners for paving, cleansing, and lighting the streets of Dublin, or the Commissioners for making wide and convenient streets 89 90

(¹) or

(²) last

(³) during a definite number of years or other shorter time

(⁴) and if appointed for an indefinite time, or for life, or for so long as he shall be a member, or of a particular class or description of such Body Corporate, then until the last-named First day of January, and no longer.

streets in the City of Dublin, or the Corporation for improving the Port and Harbour of Dublin, so to transfer the powers vested in them respectively.

(¹)

AND

(¹) And be it Enacted, That the Council to be elected for any Borough, the City of Dublin only excepted, shall, immediately after their first election, and so from time to time thereafter as they shall deem expedient, appoint for such time as they may think proper a sufficient number of their own body, who, together with the Mayor of the Borough for the time being, shall be and be called the Watch Committee for such Borough; and all the powers hereinafter given to such Committee may be executed by the majority of those who shall be present at any meeting of such Committee, the whole number present at such meeting being not less then three; and such Watch Committee shall within three weeks after their first formation, and so from time to time thereafter as occasion shall require, appoint a sufficient number of fit men who shall be sworn in before some Justice of the Peace, having jurisdiction within the Borough, to act as Constables for preserving the peace by day and by night, and preventing robberies and other felonies, and apprehending
91 offenders against the peace; and the men so sworn shall not only within such Borough, but also within the County in which such Borough or part thereof shall be situated, and also within every County being within one mile of any part of such Borough, and also within all liberties in any such County, have all such powers and privileges, and be liable to all such duties and responsibilities, as any Constable duly appointed now has or hereafter may have within his Constablewick by virtue of the common law of this realm, or of any statutes made or to be made, and shall obey all such lawful commands as they may from time to time receive from any of the Justices of the Peace having jurisdiction within such Borough, or within any County in which they shall be called on to act as Constables, for conducting themselves in the execution of their office.

77.

And be it Enacted, That the Watch Committee for any such Borough as aforesaid, may from time to time frame such regulations
92 as they shall deem expedient for preventing neglect or abuse, and for rendering such Constables efficient in the discharge of their duties; and the said Committee, or any Two Justices of the Peace having jurisdiction within the Borough, may at any time suspend or dismiss any Constable whom they shall think negligent in the discharge of their duty, or otherwise unfit for the same; and when any man shall be so dismissed, or cease to belong to the said Constabulary Force, all powers vested in him as a constable by virtue

78.

80.
Provision for
additional
Constabulary
Force.

AND whereas by ⁽¹⁾ an Act passed in the sixth year of the reign of his said late Majesty, intituled, “ An Act to consolidate the Laws

of this Act shall immediately cease; and no man so dismissed as aforesaid shall be re-appointed without the consent of Two of the Justices of the Peace having jurisdiction within the Borough.

79. And be it Enacted, That it shall be lawful for any Constable during the time of his being on duty to apprehend all idle and disorderly persons whom he shall find disturbing the public peace, or whom he shall have just cause to suspect of an intention to commit a felony, and deliver any person so apprehended into the custody of the Constable appointed under this Act who shall be in attendance at the nearest watch-house, in order that such person may be secured until he can be brought before a Justice of the Peace, to be dealt with according to law, or may give bail for his appearance before a Justice of the Peace, if the Constable shall think fit to take bail, in the manner hereinafter mentioned. 93

80. And be it Enacted, That where any person charged with any petty misdemeanor shall be brought, without the warrant of a Justice of the Peace, into the custody of any Constable appointed under this Act, during his attendance in the night-time at any watch-house within any such Borough as aforesaid, it shall be lawful for such Constable, if he shall think fit, to take Bail by recognizance, without any fee or reward from such person, conditioned that such person shall appear for examination within Two Days before a Justice of the Peace within the Borough, at some time and place to be specified in the recognizance; and every recognizance so taken shall be of equal obligation on the parties entering into the same and liable to the same proceedings for the estreating thereof, as if the same had been taken before a Justice of the Peace; and the Constable shall enter in a book to be kept for that purpose in every watch-house the names, residence and occupation of the party, and his surety or sureties, if any, entering into such recognizance, together with the condition thereof, and the sums respectively acknowledged, and shall lay the same before such Justice as shall be present at the time and place when and where the party is required to appear; and if the party does not appear at the time and place required, the Justice shall declare such recognizance forfeited, and shall issue his warrant directing the amount thereof to be paid to the Treasurer of said Borough, and in default of payment directing the person mentioned therein to levy off the goods and chattels of the person named therein, the amount secured thereby, 94

⁽¹⁾ the said

Laws relating to the Constabulary Force in Ireland," it is among other things enacted, that it shall be lawful for the Lord Lieutenant
or

thereby, and the costs of the sale and of such warrant, and the same shall be levied and paid to the Treasurer of said Borough; and the Justice shall, if he shall think fit, be at liberty to enlarge the recognizance to such further time as he shall appoint; and when the matter shall be heard and determined, either by the dismissal of the complaint or by binding the party over to answer the matter thereof at the sessions, or otherwise the recognizance for the appearance of the party before a Justice shall be discharged without fee or reward.

81.
And be it Enacted, That if any Constable of any Borough shall be guilty of any neglect of duty, or of any disobedience of any lawful order, every such offender, being convicted thereof before any Two Justices of the Peace, shall for every such offence be liable to be imprisoned for any time not exceeding Ten Days, or to be
95 fined in any sum not exceeding Forty Shillings, or to be dismissed from his office, as such Justices shall in their discretion think meet.

82.
And be it Enacted, That if any person shall assault or resist any Constable of any Borough appointed under this Act in the execution of his duty, or shall aid or incite any person so to assault or resist, every such offender, being convicted thereof before any two Justices of the Peace, shall for every such offence be liable to be imprisoned for any time not exceeding Two Months, or to be fined such sum not exceeding Five Pounds as the said Justices shall think meet: Provided always, That nothing herein contained shall prevent any prosecution by way of indictment against any person so offending, but so as that such person shall not be prosecuted by indictment and also proceeded against under this Act for the same offence.

83.
And be it Enacted, That the Treasurer of every Borough shall pay to the Constables of such Borough appointed under this Act such salaries, wages and allowances, and at such periods as the Watch Committee for such Borough shall, subject to the approbation
96 of the Council, direct; and the Council shall order to be paid also any extraordinary expenses which such persons shall appear to have necessarily incurred in apprehending offenders and executing the orders of any Justice of the Peace having jurisdiction within such Borough, such expenses having been first examined and approved of by such Justice; and the said Treasurer shall also pay such further sums as the Watch Committee shall, subject to the approbation of
632. H 3 the

or other Chief Governor or Governors of Ireland to appoint from time to time, at his will and pleasure, in and for each barony, half
of

the Council, award to any of the persons belonging to the said Constabulary Force, as a reward for extraordinary diligence or exertion, or as a compensation for wounds or severe injuries received in the performance of their duty, or as an allowance to such of them as shall be disabled by bodily injury received, or shall be worn out by length of service, and all other charges and expenses which the Watch Committee shall, subject to the approbation of the Council, direct to be paid, for the purposes of the Constabulary Force under this Act.

84. And be it Enacted, That any two or more of the Justices of the Peace having jurisdiction within any Borough are hereby authorized and required, in the month of January in every year, to nominate and appoint, by precept in Writing under their hands, 97
so many as they shall think fit of the inhabitants of such Borough (not legally exempt from serving the office of Constable) to act as Special Constables within such Borough, whensoever they shall be required by the Warrant of any of the Justices of the Peace having jurisdiction within such Borough so to act, and not otherwise; and every such Warrant shall recite that in the opinion of the Justice granting the same the ordinary Police Force of the Borough is insufficient at that time to maintain the peace of the Borough; and every person so appointed a Special Constable shall take the oath set forth in the Act passed in the Session of Parliament holden in the second and third years of the reign of his late Majesty, intituled, "An Act for amending the Laws in Ireland relative to the Appointment of Special Constables, and for the better Preservation of the Peace," and shall have the powers and immunities and be liable to the duties and penalties enacted by the said last-mentioned Act; and every person so appointed a Special Constable shall receive out of the Borough Fund, for every day during which he shall be called out to act as such, the sum of Three Shillings and Sixpence, and no more. 98

85. And be it Enacted, That as soon as Constables shall have been appointed by the Watch Committee for any Borough, a notice, signed by the Mayor of such Borough, specifying the day on which such Constable shall begin to act shall be fixed on the door of the Town-hall and every place of public worship within such Borough; and on the day so specified in such notice so much of all Acts named in conjunction with such Borough in the Schedule (D.) to this Act annexed, and of all Acts made before the passing of this Act,

of barony, or other division of barony in each county at large, one
 102 Chief Constable, two Head Constables, and any number of Con-
 stables

Act, as relates to the appointment, regulation, powers and duties,
 or to the assessment or collection of any rate to provide for the
 expenses of any Watchmen for any place or places situate within
 such Borough, shall cease and determine; and all Watch-houses
 and Watchboxes in any such place or places, and all arms, ac-
 coutrements and other necessities provided at the public expense
 for any Watchmen therein, shall be given up to such persons as
 shall be named by the said Mayor in such notice, for the use and
 accommodation of the Constables to be appointed under this Act
 99 and all the property so to be given up shall be deemed to belong to
 the Body Corporate of such Borough; and in case any person having
 the charge, control or possession of any watch-house, watchbox,
 arms, accoutrements or necessities as aforesaid, shall neglect or
 refuse to give up the same, as hereinbefore required, every such
 offender being convicted thereof before any two Justices of the
 Peace shall, for every such offence forfeit and pay over and above
 the value of the property not given up, such sum, not exceeding
 Five Pounds, as the said Justices shall think meet; and where
 there shall be any building in such place as aforesaid, a part only of
 which building shall have been heretofore used as a watch-house,
 such part shall be given up every day, from the hour of four in the
 afternoon until the hour of nine in the forenoon, for the use and ac-
 commodation of the Constables to be appointed under this Act; and
 if any person having the charge, control or possession of any such
 building shall neglect or refuse to give up such part thereof for the
 purposes aforesaid, or to permit free access thereto or egress there-
 100 from during any portion of the time above prescribed, every such
 offender being convicted thereof before any two Justices of the
 Peace, shall for every such offence forfeit and pay such sum, not
 exceeding Five Pounds, as the said Justices shall seem meet: Pro-
 vided however, That nothing herein contained shall be construed to
 extend to or to affect the power of any Magistrate or officer of Police
 appointed or acting under the provisions of an Act passed in the
 sixth year of the reign of his said late Majesty, intituled, "An Act
 to consolidate the Laws relating to the Constabulary Force in
 Ireland."

Provided always, and be it Enacted, That any rate or present-
 ment for defraying the expenses of any Watchmen in any such
 place or places as aforesaid, made previously to the day specified in
 such notice as aforesaid, shall be levied and collected in the same

86.

stables and Sub-constables not exceeding Sixteen: AND whereas the force thereby provided is less than may in some cases be required in Baronies which comprise large Towns: AND whereas it is reasonable that the expense of the additional Force required in such Towns should be borne by such Towns, and not by the Counties at large in which they are situated; BE it therefore Enacted, That if any Council of any Borough named in the Schedule (A.) to this Act annexed shall think it necessary that an additional Constabulary Force should be stationed in such Borough above the proportion of the said Force therein stationed under the provisions of the said last-recited Act, it shall be lawful for the Council of such Borough to present a Memorial to the Lord Lieutenant, setting forth the additional Constabulary Force which is required for the said Borough; and thereupon it shall be lawful for the Lord Lieutenant to add to the Constabulary Force of the County or Counties wherein such Borough shall be situated any such number of Constables, Sub-constables and Officers of the said Force, not exceeding the number required by the said Council in their Memorial, as he shall think fit; and the amount of the Constabulary Force stationed in the said Borough shall be increased accordingly, and such additional Force shall form part of the general Constabulary Force, and be subject in all respects to the same rules and discipline as the residue of the said Force.

103

And

manner as if this Act had not been passed: Provided also, That nothing herein contained shall prevent the making, levying and collecting of any rate or presentment in any such place or places as aforesaid, for the purpose of paying any debt contracted before the passing of this Act, or the interest of any such debt; but that such rate or cess shall and may be levied and collected in the same manner as if this Act had not been passed.

101

87. And be it Enacted, That the Watch Committee of every such Borough shall, on the Tenth day of January, the Tenth day of April, the Tenth day of July and the Tenth day of October in every year, transmit to the Lord Lieutenant of Ireland a report of the number of men appointed to act as Watchmen in such Borough, and of the description of arms, accoutrements, and clothing and other necessities furnished to each man, and of the salaries, wages and allowances payable to such Watchmen, and of the number and situation of all Station-houses in such Borough, and also a copy of all rules, orders and regulations which shall from time to time be made by such Watch Committee, or by the Council of such Borough, for the regulation and guidance of such Watchmen.

81.

Payment of
the additional
Constabulary
Force.

And be it Enacted, That the expense of the said additional Force shall be advanced and defrayed in like manner as the expenses of the Force appointed by the last-recited Act are to be advanced and defrayed : Provided however, That no part of the expense of such increased Force shall be borne by the County or Counties at large in which such Borough shall be situated ; but the said Borough for whose service the said increase shall be made shall bear such proportion of such expenses as the Counties at large under the said last-recited Act are bound to contribute towards the expenses of the Constabulary Force appointed for this service ; and such expenses shall be paid out of the Borough Fund, and shall be paid by the Treasurer of the Borough to the person authorized to receive the monies which the County at large in which such Borough shall be
104 situated is liable to pay towards the expenses of the said Force ; and when any such Borough shall be situated in more than one County, then the Treasurer shall pay the said sums to such of the persons authorized to receive such payments from any of the said Counties as the Inspector-general of the Constabulary Force shall direct : Provided always, That it shall be lawful for the Lord Lieutenant, at any time he shall think fit, to reduce, either in the whole or part, the said additional Force ; and it shall be also lawful for the Council of the said Borough in which such additional Force shall have been stationed to present from time to time a Memorial to the Lord Lieutenant, stating that they are desirous that the said Force should be reduced in the whole or in part, and thereupon the Lord Lieutenant shall, within Twelve calendar Months from the presentation of the said Memorial, make the required reduction in the said Force,

82.

Power for
Council to
order parts
of Borough,
not within
Local Acts as
to lighting, to
be included in
such Act.

AND whereas parts of certain Boroughs are within the provisions of one or more Local Act or Acts for regulating the lighting thereof, and certain other parts of the same Boroughs are not within the provisions of any Local Act for regulating the lighting thereof, and for want of such lighting ⁽¹⁾ great facilities *may be* afforded for the commission of crimes and for the escape of the offenders ; FOR
105 Remedy thereof, BE it Enacted, That it shall be lawful for the Council of any Borough in any part of which there is a Local Act for the lighting thereof, to make an order that any part of such Borough, not being within the provisions of any Local Act for the lighting thereof, shall, from and after a certain day to be named in such order, be taken to be within the provisions of such Local Act or Acts for lighting any part of such Borough as the Council shall specify in such order ; and after such day the part named in such
order

(¹) the efficiency of the Watchmen may be much diminished, and

Proviso as to
Amount of
Rate for
lighting.

order shall be within the provisions of the Act or Acts so specified, so far as relates to lighting, or to any rates authorized to be levied for the purpose of lighting, as fully as if such part had been originally named in such Act or Acts, any thing in such Act or Acts to the contrary notwithstanding: Provided always, That every part named in such Order shall be lighted in the like manner as those parts which before the making of such Order were within the Provisions of such Local Act, and that the Rate to be raised for the purpose of defraying the expenses of lighting any part so named in such Order shall not exceed the average expense in the pound of the lighting of the other parts of such Borough.

83.
Council may
assume the
powers of
Commissioners under
9 G. 4. c. 82,
for paving,
lighting or
cleansing
Streets of
any Borough.

And be it Enacted, That⁽¹⁾ the Council of any Borough⁽²⁾ *named in the said Schedule (A.) shall have and exercise on the First day of January next after this Act shall come into operation in such Borough* the Powers given to the Commissioners under an Act made in the ninth year of the reign of his Majesty King GEORGE the Fourth, intituled, "An Act to make Provision for the lighting, cleansing and watching of Cities, Towns Corporate, and Market Towns in Ireland, in certain cases," so far as relates to the lighting of any part of such Borough which is not within the Provisions of any Local Act for lighting the same,⁽³⁾ *and the Powers and Duties vested in such Commissioners (if any) in regard to lighting*⁽⁴⁾ *shall thereupon cease and determine; but the Council shall and they are hereby authorized and required to levy Rates for the purpose of lighting such part of the Borough,*⁽⁵⁾ *not according to the powers contained in the said Act of the ninth year of the reign of his Majesty King George the Fourth, but according to the provisions hereinafter contained for levying and raising a Borough Rate.*

And

(¹) if

(²) chosen under this Act shall, by public notice to be affixed on the outer door of the Town Hall or in some public place within the Borough, declare that on a certain day to be named in such notice, not less than Twenty-one Days after the day on which such public notice shall have been given, they will take upon themselves

(³) the Council of such Borough shall, after the day named in such notice, have the same powers and duties as belong to Commissioners under the said last-recited Act

(⁴) and to levying Rates

(⁵) except so far as the same are contrary to or inconsistent with the provisions of this Act.

(1)

109 And be it Enacted, That it shall be lawful for the Council of any Borough to make such Bye Laws as to them shall seem meet for the good rule and government of the Borough, and for prevention and suppression of all nuisances as are not already punishable under any Act already in force throughout such Borough, and to appoint by such bye-laws such fines as they shall deem necessary for the prevention and suppression of such offences: Provided that no fine so to be appointed shall exceed the sum of Five Pounds, and that no such bye-law shall be made unless at least Two-thirds of the whole number of the Council shall be present: Provided also, That

no

84.
Council to
have power
to make Bye-
laws.

107 (1) And be it Enacted, That the Council of every Borough, except the City of Dublin, shall in every year before the Tenth day of January cause an estimate and valuation to be made of the like property, and in the same manner as the Commissioners appointed under the said recited Act of the ninth year of the reign of his Majesty King GEORGE the Fourth were authorized and required to do, which shall have the force and effect, for One Year, from the Tenth day of January in every year in which it shall have been made, of any estimate or valuation made under the said Act; and in case any person shall think that such estimate is erroneous, either as being an excessive estimate of property belonging to him, or an insufficient estimate of property belonging to another, it shall be lawful for such person, at any time before the First day of February then next, to appeal against such estimate, and he shall in that case before that day deliver to the Town Clerk of such Borough a notice signed by him, specifying which of the said objections to such estimate he complains; and such appeal shall be heard and determined in every Borough in which there shall be a Recorder under this Act, by the Recorder of the Borough at the Sitting of his Court held next after the expiration of Ten Days from the said First day of February; and when there shall be no such Recorder it shall be heard and determined by the Assistant Barrister of the

108 County having jurisdiction to hear and determine Suits by Civil Bill for the district in which the property estimated shall be situated, at the Sessions held for such district next after the expiration of the said Ten Days; and such Recorder or Barrister shall have power to award to or against the person appealing such costs not exceeding Ten Shillings, as he shall think fit, and to issue a decree against the party appealing for any costs awarded against him, which shall have the force of a decree in a Suit by Civil Bill, and in case he shall award costs to be paid to him to make an order on the Treasurer of such Borough to pay the sum out of the

632.

92.

no such bye-law shall be of any force until the expiration of Forty Days after the same or a copy thereof shall have been sent, sealed with the Seal of the said Borough, to the Lord Lieutenant, and shall have been affixed on the outer door of the Town Hall, or in some other public place within such Borough; and if at any time within the said period of Forty Days the Lord Lieutenant, with the advice of the Privy Council of Ireland, shall disallow the same bye-law, or any part thereof, such bye-law, or the part thereof disallowed, shall not come into operation: Provided also, That it shall be lawful for the Lord Lieutenant at any time within the said period of Forty Days to enlarge the time within which such bye-laws, if disallowed, shall not come into force, and no such bye-law shall in that case come into force until after the expiration of such enlarged time. 110

85.
Bye-laws to
be printed.

And be it Enacted, That the Town Clerk of every Borough shall, under the directions of the Council thereof, cause all the bye-laws and regulations in force in such Borough from time to time to be printed in a uniform and convenient form, and shall keep copies thereof publicly affixed in the office of such Town Clerk, and in every public office and Court of such Borough of or belonging to or connected with the Corporation thereof, for the free and open inspection of all persons, without any fee, at all reasonable hours, and shall deliver a copy of such bye-laws and regulations to any person requiring the same, on payment of such reasonable price for the same as the Council shall from time to time direct; and if any person shall wilfully and maliciously pull down, destroy or deface any copy of such bye-laws and regulations which shall be so affixed as aforesaid, such person shall for every such offence forfeit and pay any sum not exceeding Twenty Shillings: Provided further, 111 That no bye-law to be made by the Council of the Boroughs of Coleraine and Londonderry respectively shall be sent to the Lord Lieutenant until the same shall have been approved of by the Honourable Society of the Governor and Assistants of London of the New Plantation in Ulster within the Realm of Ireland.

And

Borough Rate, which order the said Treasurer shall obey; and the determination of such Recorder or Barrister shall be conclusive: Provided, however, That no such Recorder or Barrister shall entertain such Appeal without proof that such notice as aforesaid was given; and provided also, That he shall not have power to inquire into any objection to such estimate, save the one specified in such notice; and that if such appeal shall not be prosecuted effectually by the person appealing, the estimate shall be taken to be conclusive, notwithstanding such notice.

And be it Enacted, That all the provisions hereinafter contained relative to offences against this Act, punishable upon summary conviction, shall be taken to apply to all offences committed in breach of any bye-law or regulation made by virtue of this Act.

84.
As to breaches
of Bye-laws.

And be it Enacted, That after the election of the Treasurer in any Borough, the rents, issues and profits of all hereditaments, estates and tenements, and the interest, dividends and annual proceeds of all monies, dues, chattels and valuable securities, except those ⁽¹⁾ *vested or continued in other Trustees* as aforesaid, belonging or payable to any Body Corporate named in conjunction with the said Borough in the said ⁽²⁾ *Schedule (A.)*, ⁽³⁾ or to any member or officer thereof in his corporate capacity, and every fine or penalty for any offence against this Act (the application of which has not been herein provided for) shall be paid to the Treasurer of such
112 Borough; and all the monies which he shall so receive shall be carried by him to the account of a fund to be called "The Borough Fund."

85.
All Corporate
Property and
all Fines to
be received
on account of
the Borough
Fund.

And be it Enacted, That the Treasurer of any Borough *named in the said Schedule (A.)* shall pay no money on account of the Mayor, Aldermen and Burgesses of such Borough, save only in such case as is provided by this Act, or upon the order in writing of the Council, signed by Three or more Members of the Council, and countersigned by the Town Clerk of such Borough, or for the payment of the salaries granted to any Recorder or Police Magistrate as hereinafter provided, or by order of the Court of Sessions of the Peace for the Borough, or of a Justice of the Peace acting in and for the Borough in the discharge of his judicial duty, in such case as is provided by this Act, or in such case as a Court of Sessions of the Peace for any County, or a Justice of the Peace acting in and for a County in the discharge of his judicial duty, may make an order for the payment of money on the Treasurer of such County, *and that of any such order any Burgess shall be at liberty at all seasonable times to make a copy or take an extract therefrom.*

86.
Treasurer to
pay no Money
but by Order
of Council.

AND whereas it is expedient to give all persons interested in the Borough Fund of any Borough a more direct and easy remedy for any misapplication of such Fund; BE it therefore Enacted, That any order of the Council of any Borough named in the said Schedule (A.) for the payment of any sum of money from or out of the Borough Fund

87.
CLAUSE (P.)
Orders for
payment of
Money may
be removed
into the Court
of Queen's
Bench by
certiorari.

of

⁽¹⁾ held upon charitable Trusts.

⁽²⁾ Schedules (A.) ⁽³⁾ and (B.)

of any such Borough may be removed into the Court of Queen's Bench by Writ of Certiorari, to be moved for according to the usual practice of the said Court with respect to Writs of Certiorari, and that such order may be disallowed or confirmed upon motion and hearing, with costs, according to the judgment and discretion of the said Court.

88.

Salaries of Recorder, Town Clerk, Treasurer, and other Officers and Election Expenses to be paid out of such Fund.

And be it Enacted, That the Borough Fund, subject to the payment of any lawful debt due from such Body Corporate to any person which shall have been contracted before the passing of this Act, and unredeemed, or of so much thereof as the Council of such Borough from time to time shall be required or shall deem it expedient to redeem, and to the payment from time to time of the interest of so much thereof as shall remain unredeemed, and saving all rights, interests, claims or demands of all Persons or Bodies Corporate in or upon the real or personal estate of any Body Corporate, by virtue of any proceedings either at law or in equity, which have been already instituted or which may be hereafter instituted, or by virtue of any mortgage or otherwise, shall be applied towards the following purposes; that is to say, the payment of the salary of the Mayor and of the Recorder and of the Police Magistrate hereinafter mentioned, when there is a Recorder or Police Magistrate; and of the respective salaries of the Town Clerk and Treasurer, and of every other Officer whom the Council shall appoint, and also toward the payment of the expenses incurred from time to time in preparing and printing burgess rolls and ward lists and notices, and in other matters attending such elections as are herein mentioned; and in Boroughs which shall have a separate Court of Sessions of the Peace, as is hereinafter provided, towards the expenses of the prosecution, maintenance and punishment of offenders committed from the Borough for trial at the Sessions of the Peace for such Borough; and towards the expense of providing and maintaining the Corporate Buildings; and in all Boroughs⁽¹⁾ *in or towards* the payment⁽²⁾ of all other municipal expenses which shall be necessarily incurred in carrying into effect the provisions of this Act; and in case the Borough Fund shall be more than sufficient for the purposes aforesaid, the surplus thereof shall be applied *towards the paving, cleansing and lighting the streets of the Borough by or under the direction of the Council, or by any Trustees appointed by any Act or Acts of Parliament* 113 114

(¹) save the city of Dublin, towards the paving, cleansing and lighting the streets of the said Borough, and towards supplying the inhabitants with water,

(²) of the Watchmen, maintaining the peace and good order, and

liament for paving, cleansing and lighting the streets, or any of such purposes, where the powers of such Acts shall not have been transferred to the Council, and for the public benefit of the inhabitants and improvement of the Borough.

115 Provided always, and be it Enacted, That it shall not be lawful for the Council to be elected under the provisions of this Act in any Borough in which the Body Corporate named in conjunction with the said Borough in the said ⁽¹⁾ Schedule (A.) ⁽²⁾ before the time of the passing of this Act, shall have contracted any lawful debt chargeable on any tolls or dues belonging or payable to the said Body Corporate, or to any member or officer thereof in his corporate capacity, or towards the satisfaction whereof such tolls or dues, or any part thereof, were applicable before the passing of this Act, to alter or reduce the amount to be levied and payable of such tolls or dues, or to grant for any consideration any remission of or exemption from such tolls or dues, or any part thereof, unless with the consent in writing under the hands of a majority in number and amount of the creditors to whom such debt is due, until after such debt, and all arrears of interest due thereon, shall have been fully paid and satisfied: *Provided always, That nothing in this Act contained shall be construed to affect any tolls or dues paid before the passing of this Act to any member or officer of any Body Corporate in his corporate capacity, by permission of the true and real owner thereof.*

89.
Tolls or Dues payable before the passing of this Act not to be altered or reduced until payment of the Debt chargeable thereon.

116 And be it Enacted, That in case, after payment of all debts due from such Body Corporate, and contracted before the passing of this Act, and after satisfaction of all lawful claims upon the real and personal estate of such Body Corporate, the Borough Fund shall not be sufficient for the purposes aforesaid, or in case there shall be no Borough Fund, the Council of the Borough is hereby authorized and required from time to time to estimate, as correctly as may be, what amount, in addition to such fund, or when there shall be no such fund, will be sufficient for the payment of the expenses to be incurred in carrying into effect the provisions of this Act; and in order to raise the amount so estimated, and also for the purpose of defraying the expenses of putting this Act into execution which may have been incurred before the making of any Borough Rate, the said Council is hereby authorized and required from time to time to order a Borough Rate to be made within their Borough, and for that purpose the Council of such Borough shall have within their Borough all the powers and authorities which any Commissioners in any Borough

90.
Council authorized to raise Funds for payment of Expenses incurred in carrying this Act into execution.

⁽¹⁾ Schedules ⁽²⁾ and (B.),

Borough in Ireland have within the limits of their Commission by virtue of the said last-recited Act of the ninth year of the reign of his Majesty King GEORGE the Fourth, and shall observe and preserve the Provisions thereof as if the same were herein recited, or as near thereto as the nature of the case will admit, except ⁽¹⁾ *that every such Rate shall be and is hereby authorized to be levied and raised in an equal and uniform manner from and off the owners, occupiers and tenants of all houses, shops, warehouses, cellars, mills, yards, gardens, lands and tenements within such Borough, according to the yearly value at which the same shall be estimated, for the purpose of a rate for the relief of the Poor in Ireland, except any such premises of which the yearly value, estimated as aforesaid, shall be under the value of Five Pounds; and all such sums levied in pursuance of such Borough Rate shall be paid over to the account of the Borough Fund.* ⁽²⁾

And

⁽¹⁾ as is hereinafter excepted;

101.

⁽²⁾ Provided always, and be it Enacted, That in every case 101
in which before the passing of this Act any Rate might be levied in any Borough save the City of Dublin, for the purpose of watching solely by day or by night, or for the purpose of watching by day or by night conjointly with any other purpose, it shall be lawful for the Council of such Borough to levy a Watch Rate, not greater than the average yearly rate which during the last seven years, or where such rate shall not have been levied during seven years then during such less number of years as such rate shall have been levied, shall 117
have been levied for the maintenance and establishment of watchmen within the district in which such rate was levied, and for that purpose the Council shall have all the powers hereinbefore given to the Council in the matter of the Borough Rate, and all such powers as were at the time of the passing of this Act vested in any person or persons for imposing or levying any such rate; and where any part of any Borough shall not at the time of the passing of this Act be within the provisions of the Act authorizing the levy of such rate for watching as aforesaid, it shall be lawful for the Council from time to time to order that such part, or so much thereof as to the Council shall seem fit, shall be rated to the Watch Rate in like manner as other parts of the Borough to be specified in such order; and such Watch Rate thereupon shall be levied within the part mentioned in such order, in like manner as in the other parts of the Borough so specified; and all such sums levied in pursuance of such Watch Rate shall be paid over to the account of the Borough Fund: Provided always, That no such order as last aforesaid shall be made for rating to such Watch Rate any part of any Borough in which at 118
the time of passing this Act such rate as aforesaid shall not be levied

And be it Enacted, That nothing in this Act contained shall be construed to render liable to the payment of any debt contracted before ⁽¹⁾ this Act *shall come into operation in any Borough* by any Body Corporate any part of the real or personal estate of the said Body Corporate which before ⁽²⁾ this Act *shall have so come into operation* was not liable thereto, or to authorize the levy of any rate within any part of any Borough for the purpose of paying any Debt contracted before the passing of this Act, which before the passing of this Act could not lawfully be levied therein towards the payment of the same.

93.
Act not to render Corporate Property liable for Debts not chargeable thereon, nor to authorize the levy of new Rates for payment of Debts.

And be it Enacted, That the Treasurer of every Borough named in the said Schedule (A.) shall, in Books to be kept for that purpose, enter true accounts of all sums of money by him received and paid on account of the purposes of this Act, and of the several

94.
Accounts of Receipts and Disbursements to be kept, audited and published.

119 matters for which such sums shall have been paid; and the books containing such accounts shall at all reasonable times be open to the inspection of the Mayor or any of the Aldermen or Councillors of such Borough; and it shall be lawful for the Mayor or for any Alderman or Councillor, at all seasonable times, to make any copy of or take any extract from any such book; and all the accounts, with all vouchers and papers relating thereto, shall, in the months of March and September in every year, be submitted by the Treasurer of the Borough to the auditors hereinbefore provided to be elected, and to such Member of the Council as the Mayor shall name as a third Auditor on the First day of March in every year, or in case of extraordinary vacancy within Ten Days next after such vacancy, for the purpose of being examined and audited, from the First day of September in the year preceding to the First day of March, and from the First day of March to the First day of September in the year in which the said Auditors were elected and named; and if the said accounts shall be found to be correct, the Auditors shall sign the same; and after such accounts shall have been so respectively examined and audited in the month of September in every year, each Treasurer shall make out in writing, and shall cause to be printed, a full abstract of his accounts for the year, and a copy thereof shall
120 be open to the inspection of all the Rate-payers of such Borough, and copies thereof shall be delivered to all Rate-payers of such Borough applying for the same, on payment of One Shilling for each copy.

AND

levied; and which is more than two hundred yards distant from any street or continuous line of houses which shall be regularly watched within the Borough under the Provisions of this Act.

⁽¹⁾ the passing of
632.

⁽²⁾ the passing of

95.
Remedy for
misappli-
cation of
Property.

AND whereas many of the said Municipal Corporations in Ireland have been and now are seised and possessed of or entitled to divers lands, tenements and hereditaments, and the same have been granted to them and ought to be vested in them for the public benefit of the said Boroughs respectively ; and it is expedient to make further provision than now by law exists for preventing or remedying the waste and misapplication of such property, and of all other property which may hereafter be so granted to or acquired by Municipal Corporations for municipal purposes ; BE it Enacted, That in case of waste or misapplication of any such property, or of any breach of trust in respect thereof, or wherever the direction, decree or order of a court of equity shall be deemed necessary for the due administration and application of any such property, it shall be lawful for Her Majesty's Attorney General for Ireland, or for any Two or more Burgesses of such Borough, to present a petition to the Court of Chancery, or to the Court of Exchequer in Ireland, stating such complaint, and praying such relief as the nature of the case may require ; and it shall be lawful for the Lord Chancellor, Lord Keeper or Lords Commissioners of the Great Seal, or the Master of the Rolls, for the time being, and for the Court of Exchequer, and they are hereby required to hear such petition in a summary way, and to direct all such persons as they shall consider necessary to answer to same, and if necessary to issue a commission for the examination of witnesses, and on their depositions, or upon affidavits or such other evidence as shall be produced upon such hearing, to determine the same, and to give such relief and make such order therein, and with respect to the costs of such application, and to enforce the same by injunction, or otherwise, as to him or them shall seem just ; and such order shall be final and conclusive, unless the party or parties who shall think himself or themselves aggrieved thereby shall, within Two Years from the time when such order shall have been passed and entered by the proper officer, have preferred an appeal from such decision to the House of Lords, to whom it is hereby declared and enacted that an appeal shall lie from such order.

121

96.
Proceedings
not liable to
Stamp Duty.

And be it Enacted, That neither the petitions, nor any proceedings upon the same or relative thereto, nor the copies of any such petitions or proceedings, shall be subject or liable to the payment of any stamp duty, charge for Chancery or other Court Fund, or other public charge whatever, save only the actual expense of making a copy when any copy shall be required from any of such courts.

122

97.
Power of sale
and leasing
restrained.

And be it Enacted, That it shall not be lawful for ⁽¹⁾ any Body Corporate ⁽²⁾ of any Borough named in the said Schedule (A.),

at

(¹) the council of

(²) to be elected under

123 *at any time after the passing of this Act, to sell, mortgage or alienate the lands, tenements and hereditaments of the said Body Corporate, or any part thereof, except in pursuance of some covenant or contract or agreement bonâ fide made or entered into on or before the Fifth day of June in the year One thousand eight hundred and Thirty-five, by or on behalf of the Body Corporate of any Borough, or of some Resolution duly entered in the Corporation Books of such Body Corporate on or before the said Fifth day of June, or except in the case of a mortgage to raise money for payment of debts contracted before the passing of this Act, or to demise or lease, except in pursuance of some covenant, contract or agreement bonâ fide made or entered into on or before the said Fifth day of June by or on behalf of such Body Corporate, or in pursuance of some resolution duly entered in the Corporation Books of such Body Corporate on or before the said Fifth day of June, except in the cases hereinafter mentioned, any lands, tenements or hereditaments of such Body Corporate, or any part thereof, or to enter into any new contract or agreement, except in the cases hereinafter mentioned, for demising or leasing the said lands, tenements and hereditaments, or any part thereof, for any term exceeding Thirty-one Years from the time when such lease shall be made, or if made in pursuance of a previous agreement, then from the time when such agreement shall have been entered into; and in every lease which the said Council is not hereby restrained from making there shall be reserved and made payable, except in the cases hereinafter mentioned, during the whole of the term thereby granted, such clear yearly rent as to the Council shall appear reasonable, without taking any fine for the same.*

124 *Provided always, and be it Enacted, That in all cases in which any Body Corporate shall on the Fifth day of June in the year One thousand eight hundred and Thirty-five have been bound or engaged by any covenant or agreement, express or implied, or have been enjoined by any deed, will or other document, or have been sanctioned or warranted by ancient usage, or by custom or practice, to make any renewal of any lease for years, or for life or lives, or for years determinable with any life or lives, at any fixed or determinate or known or accustomed period, or after the lapse of any number of years, or on the dropping of any life or lives, at a fine certain, or under any special or specific terms or conditions, and also in all cases in which any Body Corporate shall theretofore have ordinarily made renewal of any lease for years or for life or lives, or for years determinable with any life or lives, at any fixed or determinate or known or accustomed period, or after the lapse of any number of years, or upon the dropping of any life or lives, upon the payment of an arbitrary fine, it shall be lawful for the*

98.
Provision in
certain cases
of leasing.

Council of such Borough to renew such lease for such term or number of years, either absolutely or determinable with any life or lives, or for such life or lives, and at such rent, and upon the payment of such fine or premium, either certain or arbitrary, and with or without any covenant for the future renewal thereof, as such Body Corporate could or might have done in case this Act had not been passed: Provided nevertheless, That in every case in which such Council shall deem it expedient to sell and alienate, or to demise and lease for a longer term than Thirty-one Years, or upon different terms and conditions than those hereinbefore mentioned, any of the said lands, tenements or hereditaments, it shall be lawful for such Council to represent the circumstances of the case to the Commissioners of Her Majesty's Treasury; and it shall be lawful for such Council, with the approbation of the said Commissioners or any Three of them, to sell, alienate and demise any of the lands, tenements and hereditaments of the said Body Corporate in such manner and on such terms and conditions as shall have been approved by the said Commissioners: Provided always, That notice of the intention of the Council to make such application as aforesaid shall be fixed on the outer door of the Town Hall, or in some public or conspicuous place within the Borough, One calendar Month at least before such application; and a copy of the Memorial intended to be sent to the said Commissioners shall be kept in the Town Clerk's office during such calendar month, and shall be freely open to the inspection of every Burgess at all reasonable hours during the same.

99.
Leases of
certain Build-
ings, and of
Ground for
building on,
or for making
Gardens, &c.
may be made
for Seventy-
five Years.

Provided nevertheless, and be it Enacted, That in any of the instances hereinafter mentioned, it shall be lawful for the Council from time to time to demise and lease, or to enter into any contract or agreement for demising and leasing, either at a reserved rent or fine, or both, as the Council shall think fit, any of the said lands, tenements or hereditaments to any person, body politic, corporate or collegiate, for any term not exceeding Seventy-five Years from the time of making such lease or agreement; (that is to say), of tenements or hereditaments the greater part of the yearly value of which shall at the time of making the lease or agreement consist of any building or buildings, of land or ground proper for the erection of any houses or other buildings thereupon, with or without gardens, yards, curtilages or other appurtenances to be used therewith; and where the lessee or intended lessee shall covenant or agree to erect a building or buildings thereon of greater yearly value than such land or ground, or land or ground proper for gardens, yards, curtilages or other appurtenances, to be used with any other house or other building erected or to be erected on any such ground, belonging either to such Body Corporate

127 rate or to any other proprietor, or proper for any other purpose calculated to afford convenience or accommodation to the occupiers of any such house or building.

And be it Enacted, That it shall be lawful for the Council first to be elected in any Borough under the provisions of this Act to call in question all purchases, sales, leases and demises not made in pursuance of some such bonâ fide covenant, contract, agreement or resolution made and entered into as aforesaid before the said Fifth day of June, and all contracts for the purchase, sale, lease or demise of any lands, tenements and hereditaments, and all divisions and appropriations of the monies, goods and valuable securities, or any part of the real or personal estate, of which on or before the said Fifth day of June the Body Corporate of which they are the Council, whether in their own right or as Trustees for charitable or other purposes, was seised or possessed, which shall have been made or contracted between the said Fifth day of June and the day of the declaration of their election; and for that purpose, if it shall appear to the said Council that there is ground for believing that any such purchase, sale, lease or demise, or such contract or such division or appropriation of the premises, was collusively made for
 128 no consideration, or for an inadequate consideration, it shall be lawful for the Council of such Borough, at any time within Six calendar Months next after the first Election of Councillors under this Act shall have been declared in such Borough, upon notice of their intention being first given in the Dublin Gazette, and also affixed on the outer door of the Town-hall or in some public place within the Borough, to cause the value of the lands, tenements, hereditaments and premises in question to be inquired of and found by a Jury of Twelve indifferent men of the County in which or adjoining to which in the case of all Counties of Cities and Towns Corporate, such lands, tenements, hereditaments or premises do lie; and in order thereto the said Council is empowered to summon and call before such Jury all persons having the custody and possession of any deed or agreement concerning the said lands, tenements, hereditaments and premises made or entered into since the said Fifth day of June, and to cause all such deeds and agreements to be produced before the said Jury, and examined by them, and to examine upon oath every person who shall be thought necessary to be
 129 examined (which oath the Mayor is hereby empowered to administer); and the Council shall, by ordering a view or otherwise, use all lawful means for the information as well of themselves as of the said Jury in the premises; and the Jury shall find the value of the said lands, tenements, hereditaments and premises, and the consideration which shall have been given, and also that which ought of right to have been given, for the purchase, sale, lease, demise or

100.
 Collusive
 Purchases,
 Sales and
 Demises of
 Corporate
 Property
 since the
 5th June 1835,
 for undue
 consideration,
 may be set
 aside.

appropriation thereof, according to the terms of such purchase, sale, lease, demise, contract or appropriation, and taking into account all the circumstances under which the same shall have taken place; and if the Jury by their oaths shall find that no consideration, or a consideration less than that which they shall have so found to be the value which ought therefor to have been given, shall have been collusively given or contracted to be given by the terms of any such purchase, sale, lease, demise, contract or appropriation, the party to such purchase, sale, lease, demise, contract or appropriation shall have his option either to re-convey and restore the lands, tenements, hereditaments and premises in question, and to abandon the contract to which he shall have been party, upon receipt in each case of the consideration, if any, which he shall have given for the same, or to give ⁽¹⁾ in each case such additional consideration, so that the whole consideration given shall be that which ought of right to have been given so found by the Jury as aforesaid; and in every such case as last aforesaid, the additional consideration given or to be given shall be indorsed on the original deed or conveyance, and unless he shall so do within One calendar Month next after the finding of the Jury, every such purchase, sale, lease, demise, contract and conveyance shall be absolutely void and of none effect as against the said body corporate and their successors; and in every case in which any such contract shall have been abandoned as aforesaid, or in which any such purchase, sale, lease, demise, contract or conveyance shall become void and of none effect, under the provisions of this Act, the party who would otherwise have had the benefit of the same shall be remitted to his former estate, title and interest (if any) in the premises as if no such contract, purchase, sale, lease or demise had been made or entered into; and for summoning and returning such Juries, and for imposing fines on the Sheriff, his deputy, bailiff or agent, and on the persons summoned and returned on the said Jury, and on any person required to give evidence, who shall in this behalf contravene the provisions of this Act, the Council of every such Borough shall have all the powers which the Superior Courts of Record in Dublin have; and all the costs of the said Jury, and of all witnesses tendered by the said Council to be examined before the said Jury, shall in every case be borne by the Council, and paid out of the Borough Fund: Provided nevertheless, that it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland for the time being; if he or they shall think fit, by the advice of the Privy Council, upon petition to him or them setting forth the special circumstances under which any purchase, sale, lease, demise, contract,

130

131

tract,

(¹) therefor

- 132 tract, or appropriation of any of the said lands, tenements, hereditaments, and premises shall have been made since the Fifth day of June, to order that the same shall not be called in question under the provisions of this Act; and in such case as last aforesaid the same shall not be called in question or set aside or affected under the provisions of this Act: Provided also, That in every case in which such petition shall have been presented it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland for the time being, if he or they shall think fit, to enlarge the time within which (in case he or they shall not think fit to make such order as aforesaid) the Council may have power as aforesaid to call in question any purchase, sale, lease, demise, contract, or appropriation referred to in such petition: Provided also, That nothing herein contained shall be construed to give or shall give any effect or validity to any sale, demise or other disposition of or any agreement relating to any lands, tenements, hereditaments, or other property which at any time belonged to any Corporate
- 133 Body, but that the validity of such agreement, sale, demise or other disposition shall be liable to be questioned in any ⁽¹⁾ Court of Law or Equity by the Council of the Borough, or any Burgess or Freeman or other person, as fully as if this Act had not been passed.

- And be it Enacted, That in every case in which a Body Corporate, or any particular class, number or description of members, or the governing Body of any Body Corporate, now is or are in their corporate capacity, and not as charitable trustees, according to the meaning and provisions of this Act, seised or possessed of any manors, lands, tenements or hereditaments whereunto any advowson or right of nomination or presentation to any Benefice or Ecclesiastical Preferment is appendant or appurtenant, or of any advowson in gross, or hath or have any right or title to nominate or present to any Benefice or Ecclesiastical Preferment, every such advowson, and every such right of nomination and presentation shall be sold at such time and in such manner as the Ecclesiastical
- 34 Commissioners for Ireland may direct, so that the best price may be obtained for the same; and it shall be lawful for the Council of such Body Corporate, and they are hereby authorized and required, with the consent of the said Commissioners, or any Three or more of them, in writing under their hands, to convey and assure, under the Common Seal of such Body Corporate, such advowson or such right of nomination or presentation as aforesaid, to the purchaser or purchasers thereof respectively, his or their heirs, executors, administrators and assigns, or to such uses as he or they shall direct; and the

101.
Sale of Advowsons, &c.

(1) Courts

the proceeds of every such sale shall be paid to the Treasurer of the Borough, whose receipt shall be a sufficient and effectual discharge to the purchaser or purchasers to whom the same shall be given for the amount of his or their purchase money; and it shall be lawful for the Council of such Borough to direct that such purchase money, or any part thereof, shall be applied towards the liquidation of any debt contracted before the passing of this Act by the Body Corporate now seised of or entitled to the property so sold, and if it shall not be so applied it shall be invested in Government securities for the use of the Body Corporate, and the annual interest payable thereon shall be carried to the account of the Borough Fund: Provided always, That in any case of vacancy arising before any such sale shall have taken place and been completed, such vacancy shall be supplied by the presentation or nomination of the Bishop or Ordinary of the diocese in which such Benefice or Ecclesiastical Preferment is situated.

135

102.

CLAUSE (Q.)
Certain Pro-
visions of
1 & 2 Vict.
c. 32, ex-
tended to
Ireland.

And be it Enacted, That the several provisions contained in an Act passed in this present Session of Parliament, intituled, "An Act for facilitating the Sale of Church Patronage belonging to Municipal Corporations in certain cases," shall, so far as the same are applicable, be extended to every right of nomination similarly circumstanced which shall at the time of passing this Act be vested in any Municipal Corporation in Ireland, or in any member of such Corporation in virtue of his office as such, and every such right of nomination shall become a Benefice Presentative, and the Curate or Minister presented thereto shall be a Body Politic and Corporate.

103.

CLAUSE (R.)
Provision
respecting the
Warden and
Vicars Choral
of Galway.

Provided always, and be it Enacted, That the Body Corporate called "The Warden and Vicars Choral of the Royal College or Collegiate Church of Galway" shall continue in force unless and until the same shall be dissolved by the said Ecclesiastical Commissioners in manner hereinafter mentioned; and the Vicars Choral of the said College or Collegiate Church shall respectively continue to be such Vicars Choral during their respective lives, or until they respectively shall resign or be removed from such Benefices respectively, or the said College shall be dissolved in manner hereinafter mentioned; and that any resignation made by the said present Warden and Vicars Choral, or any of them, of their respective Benefices, to the Archbishop of Tuam for the time being, shall be valid and effectual; and the said Ecclesiastical Commissioners shall and they are hereby authorized and empowered, if they shall think proper, by any instrument in writing under their Corporate Seal, with the consent of the Lord Lieutenant and of Her Majesty's Privy Council in Ireland in Council assembled (Six at least consenting), and with the consent of the Archbishop of Tuam, to declare that the said College and Collegiate Church of Galway shall be dissolved upon the death, resignation or removal of the said present Warden; and that the Vicarage of Galway, the
Vicarage

Vicarage of Mary, the Rectories of Rows and Moccullen, the Rectory and Vicarage of Trowranmore, the Vicarage and Rectory of Rosscam, the Vicarages of Clare and Kilcouran, the Vicarages of Shrome, in the diocese of Armagh, Tuam and the Vicarage of Skryen, in the diocese of Tuam, which now belong to the said College or Collegiate Church of Galway, shall thereupon be divided into such separate and distinct benefices or parishes as they shall think proper; and that the parcel of Tithes in the said Town of Galway, vulgarly called "The Bishop's Quarter," and the churches or churchyards and burial places, and other the revenues, tithes, profits and emoluments now belonging to the said College or Collegiate Church of Galway, shall be divided among and united to the said distinct parishes or benefices respectively as they shall direct; and that such persons as shall be Vicars Choral of the said College or Collegiate Church at the time of such dissolution shall become the Incumbents of such of the said distinct parishes and benefices respectively as the said Ecclesiastical Commissioners shall thereby direct; and if such dissolution shall be made as aforesaid, the said College or Collegiate Church shall be dissolved upon the death, resignation or removal of the said present Warden; and the said Vicarages and Rectories shall thereupon become distinct benefices and parishes accordingly; and each of the persons who at the time of such dissolution shall be a Vicar Choral of the said College or Collegiate Church shall thereupon by virtue of this Act, and without any presentation, induction, institution or other ceremony, become Rector or Vicar of the distinct benefice or parish of which such Vicar Choral shall be directed as aforesaid to become the Rector or Vicar; and the advowson, right of presentation and nomination to the said offices of Warden and Vicars Choral of the said College or Collegiate Church of Galway, or in case the same shall be dissolved as aforesaid, the advowson or right of nomination or presentation to each of the distinct benefices or parishes into which the Rectories and Vicarages aforesaid shall be divided, shall be sold by the Council of Galway, with the consent of the said Ecclesiastical Commissioners, and the purchase-money shall be applied in like manner as in the case of any other advowson is hereby directed to be sold, and they are hereby empowered to make a valid grant and conveyance thereof to any purchaser or purchasers accordingly; and in case of the dissolution of the said College or Collegiate Church, all the Ecclesiastical Jurisdiction and powers belonging thereto, or to the Warden thereof, shall be and are hereby vested in the Archbishop of Tuam for the time being.

And be it Enacted, That the Council of every such Borough in which this Act shall be in operation, and the Commissioners of every Town in which Commissioners shall be appointed by virtue of the provisions hereinafter contained, shall before the First day of February in each year, transmit to the Lord Lieutenant or Chief Governor (for

104.
Councils to
transmit
yearly Ac-
counts of
Income and
Expenditure
to Lord Lieu-
tenant, and

an Abstract thereof to be laid before Parliament.

the time being) of Ireland, a statement of all monies received and expended on account of such Corporation or Commissioners (*as the case may be*) within the year preceding, which statement shall be prepared in such form and manner as the Lord Lieutenant shall direct, and such accounts shall refer and be made up to the audit next before the First of January of the year in which such account is hereby required to be so transmitted; and an abstract of such statements and accounts, under general heads, shall be laid before both Houses of Parliament, during their sitting, in the same year in which they are hereby required to be transmitted as aforesaid.

105.

In Cities and Towns which are Counties Sheriff to be appointed.

And be it Enacted, That in *each and every* of the Counties of the Cities of Cork, Dublin, Kilkenny, Limerick and Waterford, and in the Counties of the Towns of ⁽¹⁾ Drogheda and Galway, *which respectively are Boroughs named in the said Schedule (A.), and also in the County of the Town of Carrickfergus*, before the Twenty-ninth day of September in the year following the year in which this Act shall come into operation in each of the said Cities and Towns respectively, and every succeeding year, ⁽²⁾ *a Sheriff shall be nomi-*

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nated

⁽¹⁾ Carrickfergus.

⁽²⁾ the Council shall name three fit persons to the Lord Lieutenant, and the Lord Lieutenant, if he think fit, may appoint one of the three persons so named to execute the office of Sheriff, or instead of appointing any one of the three persons so first named, the Lord Lieutenant, if he think fit, may require the Council to name to him three other persons, and may, if he think proper, appoint one of the three persons so last named to him to execute the office of Sheriff, or in case the Council shall neglect or refuse to make either nomination as aforesaid, or in case the Lord Lieutenant shall disapprove of all the six persons so named to him, it shall be lawful for the Lord Lieutenant to appoint a fit person to execute the office of Sheriff; and every person so appointed shall have the like duties and powers as the Sheriffs or the persons filling the office of Sheriff, in the said Cities, Towns and Counties respectively, would have had if this Act had not passed, and shall continue in his office for One whole Year, from the Twenty-ninth day of September, unless removed by the Lord Lieutenant; and in case a vacancy shall be occasioned in the office of Sheriff of such Borough during such period by the death of the person who shall have been appointed to such office, or his removal, another fit person shall be appointed in like manner to be the Sheriff instead of the person so dying or removed, who shall hold such office for the period during which the person so dying, or, unless removed as aforesaid, would have held it, and so from time to time as occasion may require;

137

nated and appointed by Her Majesty, Her heirs and successors, in the same manner to all intents and purposes as the Sheriff of any County at large in Ireland is now by law nominated and appointed; and every person who at the time when this Act shall come into operation in any of the said Cities or Towns shall hold the office or execute the duties of Sheriff in the said Counties of Cities and Towns respectively shall continue to hold and execute the same until the first appointment of a Sheriff therein under the provisions of this Act, and no longer.

And be it further Enacted, That after the commencement of this Act all such duties and powers now performed and exercised by any Bailiff, Provost or Portreeve in any Borough named in the said Schedule (A.) to this Act annexed, and which are performed and exercised by Sheriffs in other places, shall be performed and exercised in every such Borough respectively by the Sheriff of the County in which such Borough is situated.

106.

CLAUSE (S.)
Sheriffs to exercise the same powers in Boroughs within the Act as in other parts of their Counties.

138 And be it Enacted, That after the passing of this Act a Sheriff of the County, named the City and County of Londonderry, shall be nominated and appointed by the Lord Lieutenant of Ireland, in the same manner to all intents and purposes as the Sheriff of any other County at large in Ireland is now nominated and appointed; and until the Sheriff first to be nominated and appointed for the said County of Londonderry under the provisions of this Act shall enter upon his office, the persons who at present fill the office of Sheriffs of the said City and County of Londonderry, or the survivor of them, shall be and remain the Sheriffs or Sheriff of the County of Londonderry, and shall fulfil and execute the duties of the said office.

107.

City and County of Londonderry to be a County, the Sheriff of which to be nominated by the Crown.

And be it Enacted, That the Council of every Borough in which a separate Court of Quarter Sessions of the Peace shall be holden, as is hereinafter provided, shall, within Ten Days next after the grant of the said Court shall have been signified to the Council of such Borough, appoint a fit person, not being an Alderman or Councillor, to be Coroner of such Borough so long as he shall well behave himself in his office of Coroner, and shall fill up every vacancy in the office of Coroner of the Borough occurring by death, resignation or removal, within Ten Days next after such vacancy, and none thereafter shall take any inquisition which belongs to the office of Coroner within such Borough, save only the Coroner so from time to time to be appointed; and in such of the said Boroughs as are not Counties of Cities or Counties of Towns every such Coroner, for every inquisition which he shall duly take within such Borough, shall be entitled to have the sum of Twenty Shillings, and also the sum of

108.

In certain Boroughs Council to appoint a Coroner.

Nine-pence for every mile exceeding Two Miles which he shall be compelled to travel from his usual place of abode to take such Inquisition, to be paid by the Treasurer out of the Borough Fund of such Borough, by order of the Court of Quarter Sessions for such Borough: Provided always, That no person shall be elected as Coroner as aforesaid who shall not be seised or possessed of such an estate in some part of Ireland as would qualify him to serve as a Coroner for a County according to the Acts now in force in Ireland in relation to the office of Coroner; and every such person shall, before he acts as such Coroner, take and subscribe all oaths now required to be taken by a Coroner in Ireland, and shall be liable to be removed by the Court of Chancery in Ireland in the same manner as any Coroner in Ireland may now be removed by that Court. 139

109.
Coroners to
make Returns
to Lord
Lieutenant.

And be it Enacted, That on or before the Tenth day of January in every year after the passing of this Act every Coroner appointed in any Borough shall make and transmit to the Lord Lieutenant of Ireland a return in writing, according to such form as the said Lord Lieutenant from time to time shall direct, of all the cases in which he may have been called upon to hold an Inquest touching the cause of death of any person during the year ending on the Thirty-first day of December immediately preceding, and a copy of the finding of the Jury on every such Inquest.

110.
County
Coroners to
act in other
Boroughs.

And be it Enacted, That in every Borough in and for which no separate Court of Sessions of the Peace shall be holden, no person, after the First day of December next after the first election of Councillors under this Act in that Borough, shall take any inquisition which belongs to the office of Coroner within such Borough, save only the Coroner for the County at large in which such Borough is situated; and in every Borough in which a Coroner shall not be elected and acting under this Act the Coroner for the County in which such Borough is situated, and in case of a County of a City or Town the Coroner of the adjoining County, or any of them, shall take any Inquisition which could be taken by a Coroner elected under this Act, and have all the powers and authorities of such Coroner; and such Coroners of Counties at large, and the Coroners of each County of a City and County of a Town, shall be entitled to be paid for the Inquisitions which they shall duly take as aforesaid in manner now provided for by law, and not otherwise. 140 141

111.
CLAUSE (T.)
Coroners of
Boroughs, in
certain cases,
may appoint
Deputies.

And be it Enacted, That in case of illness or unavoidable absence, the Coroner for the time being of any Borough, Town or City in Ireland shall be empowered and he is hereby required, by writing under his hand and seal, to appoint a fit person, being an Attorney of One of Her Majesty's Courts in Dublin, and not being an Alderman or Councillor

of such Borough, Town or City, to act for him as Deputy Coroner during the illness or unavoidable absence of such Coroner, but no longer or otherwise: Provided always, That the Mayor or Two Justices of such Borough, Town or City shall on each occasion certify under their hands and seals the necessity for the appointment of such Deputy Coroner, and such certificate shall state the cause of absence of the Coroner, and shall be openly read to every Inquest Jury summoned by such Deputy Coroner, and the particulars of every Inquest holden before any Deputy Coroner shall be included in the return to be made by the Coroner to the Lord Lieutenant as herein provided.

112.

Commission of Justices of Peace to be issued for certain Borough.

And be it Enacted, That it shall be lawful for Her Majesty from time to time to assign to so many persons as She shall think proper Her Majesty's commission to act as Justices of the Peace in and for each Borough, and in and for each of the Counties of Cities and Towns respectively named in the said Schedule (A.), to which Her Majesty may be pleased to grant a commission of the peace: Provided nevertheless, That every person so to be assigned shall reside within the Borough for which he shall be so assigned, or within Seven Miles of such Borough, or of some part thereof, during such time as he shall act as a Justice of the Peace in and for such Borough.

113.

Council may make Bye-laws on which the Crown may appoint salaried Justices.

And be it Enacted, That if the Council of any Borough *named in the said Schedule (A.)* shall think it requisite that a salaried Police Magistrate or Magistrates be appointed within such Borough, such Council is hereby empowered to make a Bye-law, fixing the amount of the salary which he or they are to receive in that behalf; and such Bye-law so made by any Council as aforesaid shall be transmitted to the Lord Lieutenant of Ireland, and the Lord Lieutenant thereupon shall be authorized to appoint so many fit persons as are specified in the said Bye-law (being Barristers at Law of not less than Six Years standing) to be during Her Majesty's pleasure Police Magistrate or Magistrates and a Justice or Justices of the Peace for such Borough, and to direct that such sum shall be paid quarterly out of the Borough Fund of such Borough as will be sufficient to pay such yearly salary to each of the Justices so assigned as last aforesaid, not exceeding in the whole the salary mentioned in the prayer of such petition, clear of all fees or deductions, as to the Lord Lieutenant shall seem fit; and the Treasurer of such Borough shall thereupon pay to each Justice so assigned as last aforesaid, out of the Borough Fund of such Borough, the salary so directed to be paid, by Four equal quarterly payments, and in the same proportion up to the time of the death of such Justice, or his ceasing to act under such assignment as aforesaid: Provided, That in every case of vacancy of the office of Police Magistrate in any Borough aforesaid, no new appointment of Police Magistrate in such Borough shall

shall be made until the Council shall again make application to the Lord Lieutenant in that behalf, and as in the case of the first appointment of a Police Magistrate in such Borough.

114.
Council to
provide a
Police Office.

And be it Enacted, That the Council of every Borough to which a separate Commission of the Peace shall be granted under the provisions of this Act shall be authorized and required to provide and furnish One or more fit and suitable Office or Offices, to be called "The Police Office" or Offices of the Borough, for the purpose of transacting the business of the Justices of the Borough, and to pay from time to time, out of the Borough Fund, such Sums as may be necessary for providing, upholding and furnishing, and for the necessary expenses of such Police Office or Offices; and the Council of every such Borough shall, in case the Borough Fund shall not be sufficient, or in case there shall be no Borough Fund, have the power of including in and paying out of the Borough Rate of such Borough such sum as shall be required for providing, upholding and furnishing and for the necessary expenses of such Police Office or Offices; and no room in any house licensed as a victualling-house or alehouse shall be used for the purpose of any such Police Office. 144

115.
Justices need
not be qua-
lified by
Estate.

And be it Enacted, That every person assigned to keep the peace within any Borough under the provisions of this Act, or any of them, shall, during the continuance of such assignment, execute the duties of a Justice of the Peace in and for the Borough for which he shall have been so assigned, although such person may not be a Burgess of the Borough in and for which he shall have been assigned to act as a Justice of the Peace, and although he may not have such qualification by estate as is required by law in the case of other persons being Justices of the Peace for a County, so nevertheless that such person be not disqualified by law to act as a Justice of the Peace for any other cause or upon any other account than in respect of estate: Provided nevertheless, That no such person by any such assignment shall act as a Justice of the Peace at any Court of Gaol Delivery or General or Quarter Sessions.

116.
How far
Summonses
and Warrants
may be en-
forced.

And be it Enacted, That every Summons for the appearance of any person, or Warrant to compel such appearance, or Warrant for the apprehension of any person charged with any offence, or Search Warrant issued by any Justice of the Peace acting in and for any Borough in any matter within his Jurisdiction, may be respectively served and executed within any County in which the said Borough shall be situated, or within any distance not exceeding Seven Miles from such Borough, and within such limits as aforesaid, shall have the same force and effect as if the same had been originally issued or subsequently indorsed by a Justice of the Peace having jurisdiction in the place where the same shall be served or executed, any law, 145

law, statute, charter or usage to the contrary notwithstanding ; and every such Summons and Warrant shall and may be lawfully served or executed within such limits as aforesaid by the Constable to whom the same shall be directed, or by any Constable or other Peace Officer of the County, Borough, Parish or Place in which the person named in such Summons or Warrant may be.

146 And be it Enacted, That it shall be lawful for the Justices of every Borough to which a separate Commission of the Peace shall be granted as aforesaid, at their first or any other meeting, and they are hereby respectively required, to appoint a fit person to be the Clerk to the Justices of such Borough, to be removeable at their pleasure, and so as often as there shall be a vacancy in the said office of Clerk to the Justices by death, resignation, removal or otherwise : Provided, That it shall not be lawful for the said Justices to appoint or continue as such Clerk to the Justices any Alderman or Councillor of such Borough, or Clerk of the Peace of such Borough, or the partner of such Clerk of the Peace, or any clerk or person in the employ of such Clerk of the Peace : Provided also, That it shall not be lawful for the said Clerk to the Justices, by himself or his partner, to be directly or indirectly interested or employed in the prosecution of any offender committed for trial by the Justices of whom he shall be such Clerk as aforesaid, or any of them, at any Court of Gaol Delivery or General or Quarter Sessions ; and any person being an Alderman or Councillor, or Clerk of the Peace of any Borough, or the partner or clerk or in the employ of such Clerk of the Peace, who shall act as Clerk to the Justices of 147 such Borough, or shall otherwise offend in the premises, shall for every such offence forfeit and pay the sum of One hundred Pounds, one moiety thereof to the Treasurer of such Borough, to be paid over to the credit and account of the Borough Fund of such Borough, and the other moiety thereof, with full costs of suit, to any person who will sue for the same in any of Her Majesty's Courts of Record in Dublin.

117.
Justices to appoint a Clerk, who shall not be the Town Clerk or of the Council, nor be concerned in the prosecution of Offenders committed by the Borough Justices.

And be it Enacted, That the Council of every Borough, except the City of Dublin, which shall be desirous that a separate Court of Quarter Sessions of the Peace, or a Court of Record for the trial of Civil Actions, shall be or continue to be holden in and for such Borough, shall signify the same by petition to the Lord Lieutenant and Privy Council in Ireland, setting forth the grounds of the application, and the Salary which they are willing to pay to the Recorder in that behalf ; and it shall be lawful for Her Majesty, if she shall be pleased, thereupon to grant that a separate Court of Quarter Sessions of the Peace, or a Court of Record for the trial of Civil Actions, shall thenceforward be holden in and for such Borough ;

118.
Recorder to be appointed by Her Majesty in certain Boroughs.

Recorder to
be a Justice of
the Peace for
the Borough.

Not to be
Councillor
or Police
Magistrate.

the Lord Lieutenant may appoint for such Borough, or for any Two 148
or more of such Boroughs conjointly, a fit person, being a Barrister at
Law of not less than Six Years' standing, who shall be and be called
the Recorder of such Borough or Boroughs, and shall hold such Office
during his good behaviour; and the Lord Lieutenant upon any
vacancy in any such Office may appoint another fit person, being
a Barrister at Law of not less than Six Years' standing, to be the
Recorder in the place of the person so making such vacancy; ⁽¹⁾ and
the Recorder for the time being of any Borough shall be a Justice
of the Peace of and for such Borough, although he may not have such
qualification by estate as is required by law in the case of any other
person being a Justice of the Peace for a county; and such Recorder
shall have precedence in all places within the Borough of which he
may be the Recorder next after the Mayor thereof; and it shall be
lawful for the said Lord Lieutenant to direct that an annual salary,
not exceeding the sum stated in the petition of the Council, shall be
paid to such Recorder by the Treasurer of such Borough out of the 149
Borough Fund: Provided always, That no person being such Recorder
as aforesaid shall be eligible to serve in Parliament for such Borough,
nor shall he be an Alderman, Councillor or Police Magistrate of such
Borough: Provided nevertheless, That nothing in this Act contained
shall be construed to disqualify any such Recorder from being eligible
to sit in Parliament otherwise than is herein provided: Provided also,
That in every Borough in and for which a separate Court of Sessions
of the Peace, or a Court of Record for the Trial of Civil Actions, is
now holden, and of which the present Recorder or Deputy Recorder
is a barrister of Six Years' standing, such Recorder or Deputy Recorder
being qualified as aforesaid, shall be continued or appointed a
Recorder under the provisions of this Act, and shall be paid out of
the Borough fund the salary now payable to him by the Corporate
Body: Provided also, That in case of sickness or unavoidable absence
the Recorder of any Borough shall be empowered ⁽²⁾ to appoint a 150
Deputy Recorder, being a barrister of Six Years' standing, to act for
him at the Sessions of the Peace then next ensuing, and in such
Court of Record, for any time not exceeding Three calendar Months,
and no longer or otherwise.

119.
Recorder of
the City of
Dublin.

AND whereas it is expedient that provision should be made by a
separate Act of Parliament for the trial of offenders and of civil
actions in cases in which *the Sessions Court of the City of Dublin*
or the Recorder or Lord Mayor of the City of Dublin, now, either
solely

⁽¹⁾ and the Council of every such Borough shall appoint a fit
person to be Clerk of the Peace during good behaviour;

⁽²⁾ with the consent of the Council,

solely or jointly with any member or members of the Corporation of the City of Dublin, possesses jurisdiction; BE it Enacted, That until Parliament shall otherwise provide, the present Recorder of the City of Dublin and his successors in that office shall have all such powers and authority ⁽¹⁾ as are now vested in the *said Sessions Court or in the* said Recorder or Lord Mayor, either solely or jointly with any other member or members of the Corporation of the Lord Mayor, Sheriffs, Commons and Citizens of the City of Dublin; and if the
151 Recorder for the time being shall vacate his said office before such provision as aforesaid shall have been made, the Lord Lieutenant shall appoint a fit person to be Recorder in lieu of the Recorder so vacating the said office; and the Recorder so from time to time appointed shall have the like powers and authorities as are hereby given or continued to the present Recorder; and the present Recorder and his successors in that office shall be entitled to such salary as the present Recorder is now entitled to, and out of the same funds; and such Recorder and his successors in that office, shall hold their office during good behaviour, or until Parliament shall otherwise provide as aforesaid.

Provided nevertheless, and be it Enacted, That no Recorder or person assigned as aforesaid to keep the peace within any such Borough, shall be capable of acting as Recorder or Justice of the Peace within such Borough until he shall have taken the oaths provided to be taken by Justices of the Peace, except any oath as to qualification by estate, and until he shall have made before the Mayor, or before any Two or more of the Aldermen or Councillors of such Borough (who is and are hereby authorized and required to
152 administer the same), a declaration in the following form; (that is to say)

“ I, A. B., do hereby declare, That I will faithfully and impartially execute the Office of Recorder [or, Justice of the Peace for the Borough of] according to the best of my judgment and ability.”

And be it Enacted, That the Recorder of every Borough appointed under this Act shall hold once in every quarter of a year, or at such other and more frequent times as the said Recorder in his discretion may think fit, or as Her Majesty shall think fit to direct, a Court of Quarter Sessions of the Peace in and for such Borough, of which Court the Recorder of such Borough shall sit as the sole Judge; and such Court of Quarter Sessions of the Peace shall be a Court of Record, and shall have cognizance of all crimes, offences and
matters

120.
Justices to
make Declaration before
acting.

121.
Sessions of
the Peace to
be held for
the Borough,
of which the
Recorder is
to be the
sole Judge.

(¹) for and incident to the trial of offenders and of civil actions

matters whatsoever cognizable by any Court of Quarter Sessions of the Peace for Counties in England; and the said Recorder shall have power to do all things necessary for exercising such jurisdiction, notwithstanding his being such sole Judge, as fully as any such last-mentioned Court : Provided nevertheless, That no Recorder by virtue of his office shall have power to make or levy any County Rate, or rate in the nature of a County Rate, or to grant any license or authority to any person to keep an inn, alehouse or victualling-house, to sell exciseable liquors by retail, or to exercise any of the powers herein specially vested in the Council of such Borough. 153

122.
Mayor, in the
absence of the
Recorder, may
open and
adjourn the
Court.

And be it Enacted, That in the absence of the Recorder and Deputy Recorder the Mayor shall be authorized and required, at the proper times appointed for the holding of such Court of Sessions of the Peace in and for such Borough, to open the said Court, and to adjourn over the holding of the same, and to respite all recognizances conditioned for appearing at the same until such further day as such Mayor then and there and so from time to time shall cause to be proclaimed : Provided nevertheless, That nothing in this Act contained shall authorize or require any such Mayor to sit as a Judge of the said Court for the trial of offenders, or to do any other act in the character of a Judge of such Court, save only in opening and adjourning the said Court, and respiting the said recognizances in manner aforesaid. 154

123.
Capital Juris-
dictions, and
all other
Criminal
Jurisdictions
in Boroughs,
other than
are specified
in this Act,
abolished.

And be it Enacted, That after the First day of January in the year following that in which this Act shall come into operation in any Borough *named in the said Schedule (A.), or in any other Borough in Ireland*, all powers and jurisdictions to try treasons, capital felonies, and all other criminal jurisdictions whatsoever, granted or confirmed by any law, statute, letters patent, grant or charter whatsoever to any Mayor, Bailiff, Alderman, Recorder or other Corporate or Chartered Officer or Corporate or Chartered Justice of the Peace whomsoever in that Borough, except the Recorder of Dublin, and all right of any Body Corporate in that Borough, or any of the members thereof, by virtue of any law, statute, letters patent, grant or charter whatsoever, to elect or nominate any Justices to keep the peace in or for any Borough, or by any members of any such Corporate Body to act as such Justices of the Peace in or for any of the last-named Boroughs, other than is herein declared, shall cease : Provided nevertheless, That nothing in this Act contained shall be construed to restrain or prevent the holding of any Court of Gaol Delivery or General or Quarter Sessions of the Peace in and for any Borough for which such Court may now be holden, until the said First day of January, but every such Court may be holden 155

holden in like manner and with the same powers until the said First day of January, as if this Act had not been passed.

156 And be it Enacted, That after the last-named First day of January every person who shall then stand committed to take his trial at any Court of Gaol Delivery, General or Quarter Sessions of the Peace for any Borough, charged with any offence which the Recorder of such Borough, after the said First day of January, will not have the jurisdiction to try, may be lawfully removed and committed to the Gaol or House of Correction of the County in which or adjoining to which such Borough is situated, there to remain and take his trial at the next Court of Quarter Sessions for such County, if the offence is cognizable by a Court of Quarter Sessions, and if not, then before the Judges of Oyer and Terminer and Gaol Delivery at their next circuit; and all persons bound by recognizance to prosecute and give evidence against such offenders shall be bound to appear to prosecute and give their evidence at the Court at which such offenders shall be tried as aforesaid; and all such recognizances, and all depositions relating to such charges, shall be transmitted to the proper officer of the Court where such offenders shall be tried; and the Sheriff, Under Sheriff, Gaolers and other Officers of the County in which such offenders shall be so tried are hereby authorized and required in every such case to receive every prisoner so committed to their custody, and him safely to keep until delivered by due course of law; and the Judges of Assize and others named in Her Majesty's Commissions of Oyer and Terminer and Gaol Delivery, or the Justices for the County, as the case may be, in which such offenders shall be tried, are hereby authorized and required to hear and determine all such cases, and to order the payment of the usual and fit expenses of the prosecutors and witnesses, and all other costs and expenses which in like case may be directed to be paid by order of the Court.

124.
Offenders
committed to
Borough
Sessions
whose juris-
diction is
taken away,
to be tried in
the adjoining
County.

157 And be it Enacted, That after the last-named First day of January the Justices assigned or hereafter to be assigned to keep the Peace in and for the county in which any Borough is situated, to which Her Majesty shall not have granted that a separate Court of Sessions of the Peace shall be holden in and for the same, shall exercise the jurisdiction of Justices of the Peace in and for such Borough as fully as by law they and each of them can or ought to do in and for the said County; and no part of any Borough in and for which a separate Court of Quarter Sessions of the Peace shall be holden shall be within the jurisdiction of the Justices of any County from which such Borough before the passing of this Act was exempt, any law, statute, letters patent, charter, grant or custom to the contrary notwithstanding.

125.
County Jus-
tices to have
Jurisdiction
in all Bo-
roughs which
have not a
separate Court
of Sessions of
the Peace.

126.

Chartered
Admiralty
Jurisdictions
abolished.

And be it Enacted, That from and after the passing of this Act, so much of all laws, statutes and usages, and so much of all royal and other charters, grants and letters patent heretofore granted to any Borough *named in the said Schedule (A.)*, or any Body Corporate *in any such Borough, or in any other Borough in Ireland*, whereby such Borough, or any place within the precincts or liberties of the same, or such Body Corporate, or the freemen or inhabitants of the same, claims or claim to be exempted and released from the jurisdiction and office of the Lord High Admiral of England, or of the High Court of the Admiralty of England or Ireland, or whereby any Body Corporate, or any Mayor, Bailiff, Recorder, Steward or other chartered or corporate Officer of any Borough, has or claims any thing belonging to the office of Admiral, whether or not to be exercised by virtue of any Commission to them or any of them to be directed, shall be and the same is hereby repealed. 158

127.

Jurisdiction
of Court of
Record.

And be it Enacted, That in every Borough to which Her Majesty shall have granted a separate Court of Sessions of the Peace, or a Court of Record for the trial of Civil Actions as aforesaid, there shall be holden or continue to be holden a Court of Record for the trial of Civil Actions; and the Recorder of such Borough shall be the sole Judge of such Court, and in all cases where by charter or custom there is or ought to be holden such a Court of Record shall have jurisdiction to hold and continue such Court for the purpose of disposing of all causes pending therein at the time of the appointment of such Recorder, at such times and places, and with such rules and practice, and with the same powers and jurisdiction as belonged to the said Court at the time of the passing of this Act; and in all other causes such Recorder shall have jurisdiction to proceed either by process of attachment of goods or by serviceable process, according to the provisions hereinafter contained, with authority to try, in a summary way as hereinafter provided, actions of assumpsit, covenant and debt, whether the debt be by specialty or on simple contract, and all actions of trespass or trover for taking goods and chattels, provided the sum or damages sought to be recovered shall not exceed Twenty Pounds, and either the cause of action shall have accrued within such Borough, or the defendant or one of the defendants shall be resident therein, and also all actions of ejectment between landlord and tenant, wherein the annual rent of the premises of which possession is sought to be recovered shall not exceed Twenty Pounds; and also to try, according to the course of the common law, actions of assumpsit, covenant and debt, whether the debt be by specialty or on simple contract, and all actions of trespass or trover for taking goods and chattels, provided the sum or damages sought to be recovered 159

recovered shall not exceed Fifty Pounds, and the cause of action shall have accrued within such Borough; and such actions shall not be removed or removable to any of Her Majesty's Superior Courts by writ of certiorari or any other process, save writ of error after judgment, where the proceeding is according to the course of the common law: Provided also, That every such Judge
 160 respectively from time to time may make rules for regulating the practice of such Court over which he presides, but so that no such rules shall be of force until they shall have been allowed and confirmed by the Judges of Her Majesty's Court of Queen's Bench in Dublin, or any Three of them.

And be it Enacted, That in every Borough being a County of a City or County of a Town, wherein the office of Clerk of the Crown or Clerk of the Peace is now by law in the appointment of the Corporation of such Borough, or any Member or Officer thereof, or held by any officer thereof in right of his office, and in every Borough not being a County of a City or County of a Town, to which a separate commission of the peace shall be granted, it shall and may be lawful for the Lord Lieutenant to grant from time to time to any person the offices of Clerk of the Peace and Clerk of the Crown of such Borough, or either of them; and the Clerk of the Peace of the County of Londonderry and the Coroners of the said County shall, whenever after the passing of this Act such offices
 161 respectively shall become vacant, be appointed and elected in the same manner as the Clerk of the Peace and Coroner of any other County at large in Ireland.

128.
 Appointment
 of Clerk of
 the Crown or
 Clerk of the
 Peace.

And be it Enacted, That in any Borough wherein there shall be a Court of Record for the trial of civil actions, or a Court of Conscience, under the provisions of this Act, the Council shall appoint the Registrar of such Court of Record, *except in Boroughs where the Town Clerk acts as such Registrar*, and the Clerk of such Court of Conscience respectively, and such other officers and servants as are necessary for carrying on the business and executing the process of such Courts respectively; and that no Registrar or other officer of such Court shall by himself or his partner practise as an Attorney in such Court.

129.
 Appointment
 of Registrar
 of Court of
 Record and
 Clerk of
 Court of Con-
 science.

And be it Enacted, That no suit commenced in any Court of Record in any Borough before the passing of this Act shall abate by reason of any change that shall have been worked in the constitution of such Court by the provisions of this Act; but that the same may be heard and determined as if it had been commenced before such Judge, according to the provisions hereinbefore contained in that behalf; and every action, suit and proceeding in which any Corporate Body in conjunction with the name of any Borough

130.
 Existing Suits
 not to abate
 by reason of
 the change of
 Jurisdiction.

mentioned in the Schedules to this Act is a party or interested, shall 162
and may be carried on by or against the Mayor, Aldermen and Bur-
gesses of that Borough.

131.
Who to be
Jurors.

3 & 4 W. 4,
c. 91.

And be it Enacted, That from and after the time when this Act shall come into operation in any Borough, including the City of Dublin, every person being a Burgess of any Borough wherein there shall be a separate Court of Sessions of the Peace, or a Court of Record for the trial of civil actions, (who would be qualified to serve on a jury, according to the provisions of an Act passed in the session of Parliament holden in the third and fourth years of the reign of his late Majesty King WILLIAM the Fourth, intituled, "An Act for consolidating and amending the Laws relative to Jurors and Juries in Ireland,") shall be qualified and liable to serve on Grand Juries in such Borough, and also upon Juries for the trial of all issues joined in any Court of Sessions of the Peace and in any Court of Record for the trial of civil actions, triable within the Borough of which such person shall be a Burgess; and the Clerk of the Peace of every such Borough shall give public notice of the time and place 163
of holding every such Sessions of the Peace Ten Days at least before the holding thereof, and in Boroughs being Counties of Cities or Counties of Towns, the Sheriff thereof, and in other Boroughs the Clerk of the Peace thereof, shall Seven Days at the least before the holding thereof, cause to be summoned a sufficient number of persons, being qualified and liable as aforesaid to serve as Grand Jurors at such Sessions; and in Boroughs being Counties as aforesaid the Sheriff, and in other Boroughs the Clerk of the Peace and Registrar of the Court of Record respectively, shall also cause to be summoned not less than Thirty-six nor more than Sixty persons so liable and qualified as aforesaid to serve as Jurors at every such sessions, and at the holding of every such Court of Record for the trial of causes; and such summons shall be made by showing to the person to be summoned, or in case he shall be absent from the usual place of his abode by leaving with some person therein inhabiting, a note in writing under the hand of such Sheriff, Clerk of the Peace, or Registrar respectively, containing the substance of such summons; 164
and such Sheriff or Clerk of the Peace respectively shall make out a list of the names of such persons so summoned as Grand Jurors; and such Sheriff, Clerk of the Peace, or Registrar respectively, shall also make out a panel of such persons so summoned other than Grand Jurors; and such list and panel shall respectively contain therein the christian names and surnames, places of abode, and descriptions of the several persons therein named; and if any person having been duly summoned to attend on any Jury shall not attend in pursuance of such summons, or, being thrice called, shall not answer to his name, or after his appearance wilfully withdraw himself
from

Fine for Non-
attendance.

from the presence of the Court, the Court shall impose such fine upon every person so making default (unless some reasonable excuse shall be proved to the satisfaction of the Court) as the Court shall think meet; and if any person on whom such fine shall be imposed shall refuse to pay the same to the person who shall be authorized by
 165 the Court to receive the same, it shall be lawful for the Court then, or at its next sitting, by order of the Court, signed by the Clerk of the Peace or Registrar respectively, to cause to be levied, by distress and sale of the goods of the person on whom such fine shall have been imposed, every such fine and the reasonable charges of such distress and sale; and every fine so received shall be paid to the Treasurer of the Borough, to be by him carried to the account of the Borough Fund hereinbefore mentioned: *Provided nevertheless, That no person shall be summoned to serve as a Juror at such Sessions or Court of Record oftener than once in any One Year, unless every person qualified and liable to serve shall have been summoned once during that year.*

And be it Enacted, That after the time when this Act shall come into operation in any Borough, every Member of the Council for the time being of the Borough, and Justice assigned to keep the Peace therein, and every Officer of Police therein, and the Treasurer and Town Clerk for the time being of every such Borough, shall be exempt and disqualified from serving on any Jury summoned within such Borough respectively, save and except the Juries summoned for an Assize or general gaol delivery.

132.
Justices, &c.
exempt from
serving on
Juries.

And be it Enacted, That in all cases of debt or liquidated damages, in which the plaintiff shall be desirous of proceeding in the Court
 166 of Record of any Borough, except the City of Dublin, by way of attachment of goods, the plaintiff, or one of the plaintiffs, or some person able to depose to the facts of his own knowledge, shall first make affidavit before the Recorder or the Mayor (who is hereby empowered to take such or any other affidavits in the said Court) of the cause of action, and that the same has accrued within such Borough, or else, where the debt or damages do not exceed Twenty Pounds, that the defendant, or one of the defendants, is resident therein, (describing such defendant by his name, addition, and residence particularly), and that the deponent is apprehensive that such debt or damages is or are in danger of being lost to the plaintiff, unless aided by process of the said Court to attach the goods of the defendant, and thereupon it shall be lawful for such Recorder or Mayor to issue an Attachment directed to the proper Officer of the Court to be appointed in that behalf as aforesaid, requiring him, according to the Form Number 1, in Schedule (E.) to this Act annexed, to attach the goods of the defendant within the Borough;

133.
Proceedings
by Attach-
ment in Court
of Record.

and thereupon such officer is hereby authorized and required to seize such goods, and to detain the same until the defendant shall have given special bail to pay such sums of money as may be adjudged to the plaintiff in that suit, which bail may be taken either by the Recorder or by the Mayor of such Borough. 167

134.
Process by
Foreign
Attachment.

And be it Enacted, That in all Boroughs in which by usage or charter the goods, monies or credits of the defendant, may by process of foreign attachment be attached in the hands of a third person, such process by foreign attachment may be proceeded upon in the Court of Record of such Borough under this Act, with such rules of practice, and with the same powers and jurisdiction, as belonged to the said Court at the time of the passing of this Act: Provided always, That no such foreign attachment shall be issued unless a common attachment against the goods of the defendant shall first have issued, and unless thereupon a further affidavit shall be made as aforesaid, describing the goods, monies or credits sought to be attached in the hands of such third person, and stating that the same belong to the defendant; and such third person, in case he claims a property in such goods, shall be permitted to give bail for the same in manner aforesaid.

135.
Where the
Proceedings
shall be by
Civil Bill.

And be it Enacted, That upon the appearance of the defendant upon any such common attachment, and upon the appearance of the garnishee upon any such foreign attachment, the plaintiff, in all cases where the debt or damages do not exceed Twenty Pounds, shall proceed by way of civil bill thereupon, and not according to the course of the common law, by filing such civil bill in the said Court, and giving notice in writing of such filing, together with a copy of such civil bill, to the party or his attorney in the proceeding. 168

136.
Form of
Proceeding.

And be it Enacted, That in all such cases, and in all other cases wherein the debt or damages do not exceed Twenty Pounds, and the plaintiff shall elect to proceed by serviceable process only in such Court of Record, and in all cases of ejectment triable in such Court of Record, the proceeding shall be, as nearly as circumstances will admit, in the forms, and according to the course, and with such right of appeal to the Judge of Assize of the County in which such Borough, or any part thereof, shall be situate, or to One of the Superior Courts in the City of Dublin, as is by law provided in cases of Civil Bills determinable before the Assistant Barristers of Counties in Ireland, and in cases where the Plaintiff shall proceed in such Court according to the course of the common law, and shall recover in debt or damages an amount not exceeding Twenty Pounds, such Plaintiff shall not recover any costs of suit. 169

And

And be it Enacted, That any Attorney of any of the Superior Courts of Record in Dublin shall be admissible to practise in the Court of Record of any such Borough, without payment of any fee or stamp-duty upon such his admission, and may continue to practise therein so long as he continues an Attorney of some of the Superior Courts of Record aforesaid, and is in all other respects duly qualified to act and practise as such Attorney.

137.
Attornies in
Court of
Record.

170 AND whereas in several of the Boroughs in Ireland there have been courts for the recovery of small debts in a summary way, commonly called Courts of Conscience; and such courts, when well regulated, have been found useful to the poorer inhabitants of the said Boroughs; and it is expedient to make new and further provisions for the establishment and regulation of such courts in certain cases; BE it Enacted, That from and after the first election of the Council of any Borough under the provisions of this Act all the powers, authorities and jurisdictions of the then existing court for the recovery of small debts, commonly called the Court of Conscience, in such Borough, whether the same shall have been established by usage, statute or otherwise, shall wholly cease and determine, save only as to the execution of any decrees or orders of the said Court theretofore lawfully made; and that in every Borough in the ⁽¹⁾ *Schedule (A.)* to this Act annexed in which there has been heretofore such a Court, or in which the Lord Lieutenant shall, upon the application of the Council, direct that there shall be such a Court, before the Mayor of the said Borough, or the deputy of such Mayor duly appointed by him by writing under his hand, with the consent of the Council of such Borough, signified by a resolution of such Council duly convened for that purpose, a court for the recovery of small debts, to be called the Court of Conscience of such Borough, and that the Mayor of the said Borough, or his deputy for the time being duly appointed, shall be the Judge or President of such Court, and shall have full power and authority to hear and determine in a summary way causes in all small debts between party and party not exceeding in amount the sum of Forty Shillings, where the cause of action shall have accrued within the said Borough, or the defendant shall reside within the same.

138.
Court of
Conscience.

171 And be it Enacted, That the said Court shall be held at such times and in such place within the said Borough as the Council of the said Borough shall direct and provide, and not otherwise; and that the proceedings in said Court shall be by summons in the form Number 2, specified in the *Schedule (E.)* to this Act annexed, stating the names of the parties, plaintiff and defendant, the nature and amount of the debt, and the time and place when and where the defendant

139.
Proceedings
in Courts of
Conscience.

(¹) Schedules

defendant is required to appear and answer the said claim; and such summons shall be served on the said defendant personally, or, in case of difficulty in effecting personal service, arising from the acts or contrivance of the said defendant, by serving same in such manner as the President of the said Court shall direct, and in such case a copy of the order for such substitution of service shall be served along with and in the same manner as the summons; and in all cases the summons shall be served in manner aforementioned Twenty-four Hours at the least previously to the hearing of the cause; and in case the said defendant shall appear, or if the plaintiff shall prove by affidavit (which, and all other affidavits in the said Court, the said President is hereby empowered to take), the due service of the said summons, or summons and order as aforesaid, the President of the said Court shall proceed to hear the said cause and the statement of the said party or parties, or their attorney or attornies, and all competent witnesses and other legal evidence produced by them or either of them, and shall determine the same: Provided always, That it shall be lawful for either party to require the other to be examined upon oath touching the said claim, but that neither of the said parties shall be admitted by his own evidence, on oath or otherwise, to support his own case.

140.
Order of
Court of Con-
science.

And be it Enacted, That upon such evidence as shall be adduced, and the admissions of the said parties, if required to be examined as aforesaid, the said President shall decide upon the case, and shall make an order either for the payment of the sum claimed by the plaintiff or any part thereof, together with his costs of suit, according to a table of costs to be settled for the said Courts in manner hereinafter provided, or for dismissing the said summons, and in such case to order the plaintiff to pay to the defendant his reasonable costs according to the said table, or may adjourn the cause to some other day, as justice may require; and every such order shall specify a time within which such payment of debt and costs, or of costs, as the case may be, shall be made, either by instalments or otherwise; and every order dismissing such summons shall be expressed therein to be either "on the merits" or "without prejudice to any other proceeding for the said demand;" and in case the party against whom such order for the payment of the said debt and costs, or of such costs, shall be made, shall not pay the amount thereof pursuant to the terms of the said order, it shall be lawful for the President of the said court, upon affidavit made of the service of a copy of such order on such party personally, or at his dwelling-house, office or shop, or last known place of residence within the said Borough, and of the nonpayment of any sum of money mentioned in such order pursuant to the terms thereof, to issue his warrant under his hand to levy the amount thereof by distress and sale of the goods of the said party.

And

141.
Appeal from
Court of
Conscience.

And be it Enacted, That no re-hearing of any cause shall be had in the said court except only in cases where the same shall have been dismissed "without prejudice to any other proceeding," as aforesaid; and that if any party shall think himself aggrieved by any such order of the said court, either for payment of the said debt and costs, or for dismissing his cause on the merits as aforesaid, it shall be lawful for such party to appeal therefrom to the Recorder of the said Borough, where there is a Recorder in the said Borough; 175 provided that in case of such appeal the party so appealing shall give notice of such appeal to the President of the said Court, and also to the opposite party in the said cause; and the said appeals may be forthwith proceeded upon before such Recorder at the Court of the said Recorder, if then holden, or at the next or any subsequent Court of such Recorder, to be held within Six calendar Months from the time of the service of such order upon the party so appealing; and such Recorder shall have full power and authority to proceed to hear such cause, and to rescind and vary or reverse or affirm the said order, and in all or any of such cases to make such order, either for the payment of the said debt and costs, together with reasonable costs of such appeal, pursuant to the said table of costs, or for the payment of such costs only as aforesaid, as justice shall require; and in case of nonpayment of the sum or sums of money mentioned in such order, on like affidavit of the due service thereof in manner 176 aforesaid, to issue his warrant under his hand to levy the amount thereof by distress and sale of the goods of the said party, in the same manner as the said President of the said Court of Conscience is hereby authorized: Provided always, That such notice of appeal shall not operate to stay execution of any order or warrant of the said President of the said Court of Conscience, unless the party appealing therefrom shall enter into a bond to the Mayor of the said Borough, by himself and Two Sureties, jointly and severally bound in double the amount of the sums mentioned in such order, that such party so appealing shall prosecute such appeal with effect, and in case such order shall be affirmed in the whole or in part on such appeal to pay the sum mentioned in such order of affirmation, either for debt and costs, or for costs: Provided always, That such bond shall not be liable to any stamp-duty.

142.
Books of
Proceedings
to be provided
and kept.

And be it Enacted, That the President of the said Court of Conscience, and the Recorder, as Judge upon appeals from the President or the Town Clerk, under their orders respectively, shall make or cause to be made fair and regular entries in books to be provided 177 by the Town Clerk, under the direction of the Council, for that purpose, of all judgments, orders, directions, regulations, acts, and proceedings of them the said President and Recorder respectively in or relating to the execution of the several powers and authorities vested in them as Judges in the first instance, and upon appeal in

such Court as aforesaid, and shall respectively sign the same; and such entries, when so signed, shall be allowed in evidence in proof of the proceedings of such Court in all Courts whatsoever; and if any person within the jurisdiction of the said Court, after having been duly served with a summons to be issued by the Clerk thereof, and paid or tendered his reasonable expenses to attend and give evidence at a time and place in such summons mentioned, on behalf of any plaintiff or defendant, shall refuse or neglect to appear pursuant to such summons, due proof being made of the service of such summons, and no sufficient cause for his non-appearance being shown to the satisfaction of the Court upon affidavit, or if the person so served with such summons shall appear and refuse to give evidence touching the matter in question, then and in every such case 178 it shall be lawful for such President or Recorder, as the case may be, if satisfied upon affidavit that such person not appearing was duly served with such summons, and was a material witness for the party on whose behalf he was so summoned, or that such person appearing and refusing to give evidence as aforesaid was a material witness for the party on whose behalf he was called, to impose any fine not exceeding Fifty Shillings on every such person; and in case such fine shall not be paid forthwith, such fine may be levied by distress and sale of the goods of the offender, by warrant under the hand of such President or Recorder, as the case may be, rendering the overplus (if any), after deducting such fine, and the costs and charges of such distress, to the owner of the goods; and such fine, when levied, shall be paid over to the party on whose behalf such person shall have been summoned or called upon to give evidence; and in case any person shall be guilty of a contempt of the said Court, it shall be lawful for such President or Recorder to direct that such offender 179 be taken into custody, and any officer of the Court, with or without the assistance of any other person, may take such offender into custody accordingly; and the said President or Recorder shall then examine into such contempt, and then, upon his own view, or upon oath of one or more other persons, impose a fine not exceeding Fifty Shillings for each offence on each offender; and if such fine shall not be forthwith paid, such President or Recorder may commit the offender to any lawful prison within such Borough for any time not exceeding Twenty Days, or such fine may be levied by distress and sale of the goods of the offender in manner aforesaid, and paid to the Treasurer of such Borough, to the credit of the Borough Fund, and such offender may be detained in custody until the rising of the Court on the day of his offence, and for one hour after.

143.
Fees payable
to the Clerk
of the Peace,
Clerk to the
Magistrates,

And be it Enacted, That the Council of every Borough shall and they are hereby required, within Six calendar Months next after their election, to make and settle a table of the fees which shall be taken

180 taken by the Clerk of the Peace in those Boroughs in which a separate Court of Session of the Peace shall be holden, and in those Boroughs in which there shall be a Court of Record and a Court of Conscience a table of the fees to be taken by the Registrar and Officers of such Courts; and such tables of fees shall be submitted to the Chief Secretary or Under Secretary of the Lord Lieutenant of Ireland; and when such tables of fees shall be confirmed and allowed by such Chief Justice or other Justices, or any Three of them, either as such table shall have been submitted to them, or with such alterations, additions or abatements as they shall think proper, the fees therein mentioned may thenceforth be lawfully taken by the person therein named to be entitled thereunto; and it shall be lawful for the Council of such Borough, from time to time as occasion may require, to make new tables of fees, to be taken instead of the fees contained in the Tables which shall have been made as aforesaid, which new tables shall be confirmed and allowed in the manner hereinbefore mentioned, otherwise the same shall be of no validity; and that until tables of the fees so to be taken in any such Borough shall have been made and confirmed as aforesaid, it shall be lawful for such Clerk of the Peace at the Sessions for any such Borough to take the fees authorized by the table for the time being to be taken by the Clerk of the Peace at the Sessions for the County within or adjoining to which such Borough is situated, and for the Registrar and Officers of such Court of Record or Court of Conscience to take the fees usually taken by them before the passing of this Act.

and Registrar
and Officers
of the Court
of Record.

And be it Enacted, That in those Boroughs to which a commission of the peace shall have been granted, the Clerk to the Justices shall be entitled to such fees (and no other) as are chargeable by and under an Act passed in the Session of Parliament holden in the seventh and eighth years of the reign of his Majesty King GEORGE the Fourth, intituled, "An Act for the better Administration of Justice at the holding of Petty Sessions by Justices of the Peace in Ireland," subject to such orders of the Justices as in that Act provided.

144.
Clerks to
Justices to
be entitled
to Fees
chargeable
under Act
7 & 8 G. 4.
c. 67.

182 And be it Enacted, That the Town Clerk of every Borough shall cause a true copy of the Tables of Fees in force for the time being to be hung up in a conspicuous part of the room in which the business of his office is transacted, and also the room wherein the Justices of the Peace of such Borough shall sit for transacting their business, and also in the room wherein the Court of Sessions of the Peace for the Borough shall be held, and also in the Court of Record and Court of Conscience of the said Borough respectively.

145.
Table of Fees
to be hung up.

And be it Enacted, That when by any Act any Penalties or Forfeitures are or shall hereafter be made recoverable in a summary manner

146.
Application
of Penalties.

manner before any Justice or Justices of the Peace, and by such Act respectively, the same are or shall be limited and made payable to Her Majesty, or to any Body Corporate, or to any person whomsoever, save and except the informer who shall sue for the same, or any party aggrieved, in every such case the same, if recovered and adjudged before any Justice of any Borough in which a separate Court of Sessions of the Peace shall be holden as aforesaid, shall, notwithstanding any thing in such Act respectively contained, be recovered for and adjudged to be paid to the Treasurer of such Borough for the time being, to the credit and on account of the Borough Fund of such Borough, *or where there shall be no Borough Fund, be paid to or for the use of the parish or union where such offence shall have been committed, to be applied in aid of the Poor Rate of such parish or union*; and no such penalty or forfeiture, or share of such penalty or forfeiture, shall in any case be recovered by or adjudged to be paid to any other person than the said Treasurer, unless such person be the informer or the party aggrieved: Provided always, That nothing herein contained shall extend to any penalties or forfeitures recovered under any Act relating to the Customs, or to trade or navigation, and sued for by the direction of the Commissioners of Her Majesty's Customs, which shall be paid to such person as the said Commissioners shall direct to receive the same. 183

147.
Limitation of
time for Pro-
secution of
Offences
punishable on
summary
Conviction
under this
Act, and
Summons of
Offenders.

AND for the more effectual prosecution of offences punishable upon summary conviction by virtue of this Act, BE it Enacted, That the prosecution for every such offence shall be commenced within Six calendar Months after the commission of the offence, and not otherwise; and that where any person shall be charged, on the oath of a credible witness, with any such offence, before a Justice of the Peace, the Justice may summon the party charged to appear before any two Justices of the Peace acting in and for the Borough in which such offence shall have been committed, at a time and place to be named in such summons; and if such party shall not appear accordingly, the Justices of the Peace then and there present (upon proof of the due service of the summons by delivering a copy thereof to the party, or by delivering such copy at the party's usual place of abode to some inmate thereat, and explaining the purport thereof to such inmate), may either proceed to hear and determine the case in the absence of the party, or may issue their warrant for apprehending and bringing such party before them, as they shall think proper. 184

148.
Power to
summon
Witnesses.

And be it Enacted, That it shall be lawful for any Justice of the Peace acting in and for any Borough, to issue his summons requiring any person to appear before any such Justices of the Peace for the purpose of giving evidence touching any offence against this Act; and

and if any person so summoned shall neglect or refuse to appear at the time and place appointed by such summons, and no reasonable excuse for his absence shall be proved before the Justices of the Peace then and there present, or if any person appearing in obedience to such summons shall refuse to be examined on oath touching any such offence by the Justices then and there present, every person so offending shall, on conviction thereof before the said Justices, or any other Justices of the Peace, forfeit and pay such sum of money, not exceeding Five Pounds, as to the convicting Justices shall seem meet; and no person, although liable to the rate contributing to the Borough Fund of any Borough shall be deemed an incompetent witness in proof of any offence against this Act by reason of any penalty or forfeiture for such offence being applicable to the use of such Borough Fund; and no Justice of the Peace shall be disabled from acting in the execution of this Act by reason of his being liable to the rate contributing to the Borough Fund of any Borough.

Penalty for disobedience of Summons, &c.

No Witness or Justice to be incompetent on the ground of rateability.

And be it Enacted, That the Justices of the Peace by whom any person shall be summarily convicted and adjudged to pay any sum of money for any offence against this Act may adjudge that such person shall pay the same either immediately or within such period as the said Justices shall think fit; and in case such sum of money shall not be paid at the time so appointed, the same shall be levied by distress and sale of the goods and chattels of the offender, with the reasonable charges of such distress; and ⁽¹⁾ it shall be lawful for such Justices to order the offender to be detained in safe custody until return can conveniently be made to the warrant of distress, unless the said offender shall give sufficient security to the satisfaction of such Justices for his or her appearance before them on such day as shall be appointed for the return of such warrant of distress, such day not being more than Eight Days from the day of taking the security, and which security the said Justices are hereby empowered to take by way of recognizance or otherwise; and if upon the return of such warrant it shall appear that no sufficient distress can be had thereupon, or in case it shall appear to the satisfaction of such Justices, either by the confession of the offender or otherwise, that the offender hath not sufficient goods and chattels whereon such sum of money and costs may be levied were a warrant of distress issued, such Justices shall not be required to issue such warrant of distress, and thereupon it shall be lawful for any such Justices and they are hereby authorized and required to cause such offender to be imprisoned, with or without hard labour, in the common gaol or house of correction, as to the convicting Justices shall

149.
Payment of Penalties, and Mode of levying the same.

(1) for want of sufficient distress such offender shall

shall seem meet, for any term not exceeding One calendar Month where the sum to be paid shall not exceed Five Pounds, and for any term not exceeding Two calendar Months in any other case, the imprisonment to cease in each of the cases aforesaid upon payment of the sum due.

150.
Form of
Conviction.

And be it Enacted, That the Justices of the Peace before whom any person shall be summarily convicted of any offence against this Act may cause the conviction to be drawn up in the following form of words, or in any other words to the like effect, as the case may require; (that is to say,)

“ } BE it Remembered, That on the day of
to wit, } in the year of our Lord
 } in the Borough of in the County of
A. O. is convicted before us, J. P. and J. J. P., Two of
Her Majesty's Justices of the Peace for the said County 187
[or Borough, or otherwise, as the case may be], for that
the said A. O. did [here specify the offence, and the time
and place when and where the same was committed, as the
case may be]; and we do adjudge that the said A. O. shall
for the said offence forfeit the sum of , and
shall pay the same immediately [or shall pay the same on
or before the day of] to
the Treasurer for the said Borough, to be by him applied
according to the directions of the statute in that case made
and provided. Given under our hands the day and year
first above mentioned.”

151.
Appeal
against
Convictions
under this
Act.

And be it Enacted, That any person who shall think himself aggrieved by any summary conviction in pursuance of this Act, may appeal to the next Court of General or Quarter Sessions of the Peace to be holden, not less than Twelve Days after such conviction, for the County or Division of the County, or for the Borough 188
wherein the cause of complaint shall have arisen, provided that such person shall give to the complainant a notice in writing of such appeal, and of the cause and matter thereof, within Three Days after such conviction, and Seven clear Days at the least before such Sessions, and shall also either remain in custody until the Sessions, or within such Three Days enter into a recognizance, with a sufficient surety, before a Justice of the Peace, conditioned personally to appear at the said Sessions, and to try such appeal, and to abide the judgment of the Court thereupon, and to pay such costs as shall be by the Court awarded; and upon such notice being given and such recognizance entered into, the Justice before whom the same shall be entered into shall liberate such person, if in custody; and the Court at such Sessions shall hear and determine the matter of the appeal

189 appeal, and shall make such order therein, with or without costs to either party, as to the Court shall seem meet, and in case of the dismissal of the appeal or the affirmance of the conviction, shall order and adjudge the offender to be dealt with and punished according to the conviction, and to pay such costs as shall be awarded, and shall, if necessary, issue process for enforcing such judgment.

And be it Enacted, That no conviction, order, warrant or other matter made or purporting to be made by virtue of this Act shall be quashed for want of form, and no warrant of commitment shall be held void by reason of any defect therein, provided that it be therein alleged that it is founded on a conviction, and there be a good and valid conviction to sustain the same; and where any distress shall be made for levying any money by virtue of this Act, the distress itself shall not be deemed unlawful, nor the party making the same be deemed a trespasser, on account of any defect or want of form in the summons, conviction, warrant of distress or other proceedings relating thereto, nor shall the party distraining be deemed a trespasser ab initio on account of any irregularity afterwards committed by him, but the person aggrieved by such irregularity may recover full satisfaction for the special damage, if any, in an action upon the case.

152.
No Certiorari, &c.

As to informality in Warrants, &c.

190 AND for the protection of persons acting in the execution of this Act, BE it Enacted, That all actions and prosecutions to be commenced against any person for any thing done in pursuance of this Act shall be commenced within Twelve calendar Months after the fact committed, and not otherwise; and notice in writing of such action, and of the cause thereof, shall be given to the defendant One calendar Month at least before the commencement of the action; and in any such action the defendant may plead the general issue, and give this Act and the special matter in evidence, at any trial to be had thereupon; and no plaintiff shall recover in any such action if tender of sufficient amends shall have been made before such action brought, or if a sufficient sum of money shall have been paid into Court after such action, by or on behalf of the defendant; and if a verdict shall pass for the defendant, or the plaintiff shall become nonsuit, or discontinue any such action after issue joined, or if upon demurrer or otherwise judgment shall be given against the plaintiff, the defendant shall recover his full costs as between attorney and client, and have the like remedy for the same as any defendant hath by law in other cases.

153.
Limitation in Proceedings against Persons acting under this Act.

Notice of Action.

General Issue.

Tender of Amends, &c.

And be it Enacted, That as soon as any rate for the relief of the destitute poor shall have been made in any of the Boroughs named

154.
When the Act shall come into operation.

in the said ⁽¹⁾ *Schedule* (A.), ⁽²⁾ the Guardians, Wardens or other Officers acting in the management or relief of the destitute poor, by whom any such rate shall have been made, shall, under the hands of three or more of them, or in their default the Commissioners appointed to carry into execution any Act for the relief of the destitute poor in Ireland, shall, under their Seal, certify to the Lord Lieutenant of Ireland that such rate has been made; and upon the receipt of such certificate the Lord Lieutenant shall cause such certificate to be published in the Dublin Gazette, with a declaration that this Act will thenceforward be in force in the Borough or Boroughs named in the certificate; and upon such publication this Act shall come into operation, *commence*, and be in force in the Borough or Boroughs named in such certificate. 191

155.
Periods connected with first Registration and Election may be deferred by Orders in Council.

AND whereas it may happen that the several provisions of this Act cannot be carried into effect within the several periods hereinbefore specified and limited in that behalf; BE it therefore Enacted, That it shall be lawful for the Lord Lieutenant of Ireland, if he shall think fit, by the advice of Her Majesty's Privy Council there, to order any convenient day after this Act shall come into operation in any Borough for doing the several matters required or authorized by this Act to be done on the Fifth day of September in the first year in which this Act shall come into operation in that Borough instead of the said Fifth day of September, and in such case all matters mentioned in such order shall be done in the said year on such day as shall be mentioned in that behalf in such order, as if the day mentioned in such order had in every instance been mentioned in this Act instead of the said Fifth day of September, and not otherwise; and all things required or authorized by this Act to be done on any other day, or within any time from or after any day named in this Act, shall be done in the said first year on such other days and within such other times as shall have the same relation in point of time to the day so ordered by the Lord Lieutenant instead of the Fifth day of September, as the days and time mentioned in this Act have to the said Fifth day of September, but if any such day fall on a Sunday then on the following day; and no person shall be entitled to be enrolled in the Burgess Roll of any Borough in the first year in which this Act shall come into operation in that Borough unless he would have been entitled on the Fifth day next before the day so ordered by the Lord Lieutenant to have his name included in some Churchwarden's List, if such list had been made out on the said Fifth day next before the day so ordered. 192

156.
Applications for Quo Warranto to

And be it Enacted, That after the passing of this Act every application to the Court of Queen's Bench for the purpose of calling 193

(¹) Schedules

(²) and (B.)

calling upon any person to show by what warrant he claims to exercise the office of Mayor, Alderman or Councillor in any Borough shall be made before the end of the term following next but one after the election of the person against whom such application shall be directed, *or after the time when such person shall have become disqualified*, and not at a subsequent time.

to be made within the Time next but one after Election.

194 And be it Enacted, That after the passing of this Act, in case no election shall be made of any Mayor or any of the Aldermen, Councillors or other Corporate Officers, in any Borough named in the said Schedules, upon the day or within the time appointed by this Act for such election, or such election being made shall afterwards become void, whether such omission or avoidance shall occur through the default of the officer or officers who ought to preside at such election, or by any other means or accident whatsoever, the Corporation shall not thereby be deemed to be dissolved or disabled from electing such Mayor, Alderman or Councillor, or other Corporate Officer for the future; but in case where no such election shall be made as aforesaid, the election for any such Mayor, Alderman, Councillor or other Corporate Officer may be had, held or proceeded with upon the day next after the day on which such election ought to have been made, unless such day shall happen to be a Sunday, and then upon the Monday following; and every act necessary to be done in order to and for the completing such election shall and may be then done, and the same shall be as effectual and valid for all purposes as if the election had been made on the proper day appointed for that purpose.

157.
Corporations not to become extinct by reason of Election not being held on appointed Days.

195 And be it Enacted, That after the passing of this Act all the powers, authorities and jurisdictions by an Act passed in the Parliament of Ireland in the nineteenth year of the reign of King GEORGE the Second, intituled, "An Act for the better regulation of Corporations," given to Her Majesty's Court of Queen's Bench in Ireland, in cases where no election shall be made of the Mayor, Bailiff or Bailiffs, or other chief Officer or Officers of Cities, Boroughs or Towns Corporate, upon the day or within the time appointed by charter or usage for that purpose, and that no election is made pursuant to the directions in that Act and hereinbefore prescribed, or that such election being made shall afterwards become void, as in that Act mentioned, shall be and the same are hereby extended to all cases in which no election shall be made of any Mayor, Alderman, Councillor or other Corporate Officer or other person, to any Corporate Office, on the day or within the time appointed for any such election under the provisions of this Act; and the said Court of Queen's Bench is hereby empowered in all such cases to award a Mandamus, and to cause such proceedings to be had thereupon, and

158.
Provisions of Act of Irish Parliament, 19 G. 2., extended to Elections under this Act.

to make such orders, and to do all other acts, matters and things in respect thereof, as fully and effectually as the said Court is now by law authorized in any other cases of Mandamus for the election of any Officers of Corporations ; and the election to be held under such Mandamus shall be held and the proceedings thereupon conducted within the Borough in the same manner and under the like regulations and provisions as are in said Act of His Majesty King GEORGE the Second enacted and provided.

159.
The Queen
empowered
to grant
Charter of
Incorporation.

AND whereas *it may be expedient that some of the Towns in Ireland named in the Schedule (B.) to this Act annexed should continue to be Corporations, and should be assimilated to the Boroughs named in the said Schedule (A.): And whereas sundry Towns in Ireland not named* 196
in the Schedules to this Act annexed, are not Towns Corporate, and in some others the Corporations have been extinct, and it may be expedient that several of them should be incorporated ; ⁽¹⁾ *BE it Enacted, That* ⁽²⁾ *the Lord Lieutenant of Ireland shall, after this Act shall come into operation in any Borough, by Warrant under his Hand appoint a day, not less than Six calendar Months or more than Twelve calendar Months next after this Act shall come into operation in any Borough, on or before which the inhabitants of Towns in Ireland who are desirous that such Towns shall be incorporated according to the provisions of this Act shall present a Petition to Her Majesty to grant to them a Charter of Incorporation for that purpose, and notice of the day to be appointed by the Lord Lieutenant as aforesaid shall be published by Royal Proclamation in the Dublin Gazette, Three calendar Months at least before such day ; and if on or before the day so to be appointed a Petition to grant a Charter of Incorporation to the inhabitants of such Town shall be presented to Her Majesty, signed by a Majority of such of the Inhabitants of any Borough named in the said Schedule (B.), or in any other Borough in Ireland in which the population, according to the last census taken in the year One thousand Eight hundred and Thirty-one by authority of Parliament, exceeded the number of Three thousand, as would be qualified (so far as such qualification can be ascertained from the Assessment to the Rate for the Relief of the Poor, to be made in pursuance of the said Act passed in this present Session of Parliament) to have been enrolled on the Burgess Roll of such Town if the same had been named in the said Schedule (A.), and such Burgess Roll had been made according to the*
provisions

⁽¹⁾ and it may be also expedient that others which are Towns Corporate should be assimilated to the Boroughs mentioned in the Schedules to this Act annexed ;

⁽²⁾ if any of the inhabitant householders of any Town in Ireland shall petition Her Majesty to grant to them a Charter of Incorporation

provisions hereinbefore contained, then and in every such case it shall be lawful for Her Majesty by any such Charter, if She shall think fit, by advice of Her Privy Council, to grant the same, to extend to the Inhabitants of any such Town within the District to be set forth in such Charter the powers and provisions in this Act contained; and ⁽¹⁾ in every such Charter shall be described the Boundaries of the District to which the same is to extend, which shall be determined according to the following Rules; (that is to say) such Boundary shall include only the ancient limits of the Town, in all cases in which such limits include all the buildings considered to form part of the Town, and a sufficient space to allow of the probable increase of the Town; but when the Town extends beyond its ancient limits, such boundaries shall be made to include the whole of such Town; and where there is a suburb near but not contiguous to such Town, then in determining whether such suburb shall be included in the said boundaries there shall be taken into consideration the extent and occupation of the ground which separates such suburb from the Town, and the nature and employment of the population of such suburb, and their connexion with the Town; and when the ancient boundaries include a rural district, the boundaries shall be confined to the Town, and shall not include such rural district; and every such Town shall be divided into wards, whenever the population thereof according to the said last census exceeded in number Eight thousand, and there shall be, as nearly as may be on an average, one ward and Three Aldermen and Nine Councillors to a population of every Four thousand persons; and such Charter shall specify the number of wards (if any) into which the Town is to be divided, and the number of Aldermen and Councillors to be elected therein respectively; and upon the day to be named in such Charter all former Charters, in cases where such Towns are incorporated, shall cease ⁽²⁾; and at the same time the powers and provisions in this Act contained shall be carried into effect ⁽³⁾ in such manner as the Lord Lieutenant shall direct, and as nearly as may be in like manner as if such Town ⁽⁴⁾ had been named in ⁽⁵⁾ the ⁽⁶⁾ Schedule (A.) ⁽⁷⁾ to this Act annexed; and all the regulations, provisions, clauses, matters and things in this Act contained with respect to the said Boroughs named in the said Schedule (A.) shall extend and be applied to such Town, from and after the day to be named in the Charter granted to such Town, in the same manner to all intents and purposes as the same would have taken effect from and after the coming into operation of this Act if such Town had been one of the

Boroughs

⁽¹⁾ thereupon

⁽²⁾ at such time as the Lord Lieutenant shall direct,

⁽³⁾ at such times and

⁽⁴⁾ or towns were

⁽⁵⁾ either of

⁽⁶⁾ Schedules

⁽⁷⁾ and (B.)

Where the Borough is not divided into Wards, the Elections for the whole Borough to be similar to Elections in Wards.

Boroughs named in the said Schedule (A.) to this Act annexed, and the boundaries and wards and number of Aldermen and Councillors mentioned in such Charter, had been contained in Schedule (C.) to this Act annexed; and in every Borough named in the said Schedule (B.), and in every other Town in Ireland to which a Charter of Incorporation shall be granted as aforesaid, and which shall not thereby be divided into wards, the Aldermen and Councillors to be assigned to such Borough shall be elected by the Burgesses of the whole Borough in like manner as the Aldermen and Councillors of any ward are directed by the provisions hereinbefore contained to be elected in every ward, except that every such election hereinbefore directed to be holden before the Alderman and two Assessors of the ward shall be holden before the Mayor and two Assessors of the Borough, and the two Assessors chosen to hold the Court with the Mayor for revising the Burgess Lists shall also perform all the same duties and shall have the same powers within the Borough as are to be performed and exercised in a Borough divided into wards by the two Assessors chosen for each ward; and the votings and other proceedings in all other respects at such Elections within such Borough shall be conducted in the same manner as is hereinbefore directed with regard to similar Elections in wards: Provided nevertheless, That notice of 197 every such Petition, and of the time when it shall please Her Majesty to order that the same be taken into consideration by Her Privy Council, shall be published by Royal Proclamation in the Dublin Gazette One Month at least before such Petition shall be so considered.

160.

CLAUSE (U.)
Account of
Boroughs
which have
petitioned
to be laid
before Par-
liament.

And be it further Enacted, That within One Week after the commencement of the Session of Parliament next after the day to be appointed by the Lord Lieutenant as aforesaid, or if the day appointed shall happen during the Session of Parliament, then within One Week next after such day, a Return of all the Towns in Ireland from which Petitions shall have been presented for Charters of Incorporation, in pursuance of the provisions hereinbefore contained, shall be laid by One of Her Majesty's Principal Secretaries of State before both Houses of Parliament.

161.

CLAUSE (W.)
A Board of
Commis-
sioners to be
appointed
in every
Borough en-
titled to
Property in
Schedule
(B.) which
shall not
petition for a
Charter, or
which shall
petition, and

And be it further Enacted, That in every Borough named in the said Schedule (B.) from which no Petition for a Charter of Incorporation signed as aforesaid shall be presented to Her Majesty on or before the day to be named by the said Lord Lieutenant, as hereinbefore is mentioned, and also in every Borough named in the said Schedule (B.) to which no Charter of Incorporation in pursuance of any Petition signed as aforesaid shall be granted within Twelve calendar Months next after the day to be named by the said Lord Lieutenant as aforesaid, there shall be constituted, if the Body Corporate

in

in such Borough shall appear from the Report of the Irish Corporations Commissioners presented to his late Majesty King William the Fourth in the year One thousand Eight hundred and Thirty-five to be seised or possessed of or entitled to any property consisting of any real estate, or of any personal estate exceeding in annual amount or value the sum of One hundred Pounds, but not otherwise, a Board of Commissioners for the disposition of such property according to the provisions hereinafter contained.

not obtain
a Charter
within 12
Months.

And be it further Enacted, That in every such Borough as last aforesaid the number of Commissioners who shall be elected to constitute such Board as aforesaid, shall be after the rate of one Commissioner for every Five hundred of the population of such Borough according to the said Census hereinbefore mentioned.

162.
(CLAUSE (X.))
One Commis-
sioner to be
elected for
every
Inhabitants.

And be it further Enacted, That the Mayor of every Borough in which a Board of Commissioners is hereinbefore directed to be constituted, shall appoint some day, not less than Seven Days nor more than Twenty-eight Days, to be computed, where no such Petition for Incorporation shall have been presented from such Borough as aforesaid, from the day to be named by the said Lord Lieutenant as aforesaid, and where such Petition shall have been presented from such Borough from the expiration of Twelve calendar Months next after the day to be named by the said Lord Lieutenant as aforesaid, for the Election of the said Commissioners, and shall give Three clear Days' notice of such election by writing, to be fixed on or near to the door of the Town Hall, or in some public and conspicuous situation within the said Borough.

163.
(CLAUSE (Y.))
Mayor to
appoint and
give Notice
of the Day of
the Election
of the Com-
missioners.

And be it further Enacted, That at the Election of such Commissioners for any Borough every man shall be entitled to vote who is of full age, and shall be an inhabitant householder resident within the Borough, according to the present limits thereof, by virtue of any charter or usage, and shall hold and occupy within the same any house, warehouse, counting-house, office or shop, either separately or jointly with any land within such Borough occupied therewith by him as tenant under the same landlord, or occupied therewith by him as owner, which premises shall be of the yearly value of not less than Ten Pounds, to be ascertained and determined in the manner hereinbefore provided with respect to the qualification of Burgesses in Boroughs in the said Schedule (A.); and in case any premises shall be jointly occupied by two or more persons, each or every of such joint occupiers shall be entitled to vote if the yearly value of such premises, ascertained and determined as aforesaid, shall be equal to the amount of as many sums of Ten Pounds as shall be equal to the number of such joint occupiers; and the Election shall be held before the Mayor, and the voting at every such Election

164.
(CLAUSE (Z.))
Elections how
to be held.

Mode of
voting.

shall commence at Nine of the clock in the Forenoon, and shall finally close at Four of the clock in the afternoon of the same day, and shall be conducted in manner following ; (that is to say) every person entitled to vote in the Election may vote for any number of persons, not exceeding the number of Commissioners then to be chosen, by delivering to the Mayor a voting paper containing the christian names and surnames of the persons for whom he votes, with their respective places of abode and descriptions, such paper being previously signed with the name of the person voting, and with the name of the street, lane, or other place in which the property, in respect of which he is rated and votes is situated.

165.

CLAUSE (A. 1.)
Polling
Booths to be
provided.

And be it Enacted, That at every Election of Commissioners under this Act in any Borough, the Mayor, if it shall appear to him expedient for taking the poll at such Election, may cause booths to be erected or rooms to be hired and used as such booths, for different parts of such Borough ; and such booths or rooms may be situated either in one place or in several places, and shall be so divided and allotted into compartments as to the Mayor shall seem most convenient ; and the Mayor shall appoint a Clerk to take the poll at each compartment, and shall cause to be affixed on the most conspicuous part of each of the said booths the names of the parts of the Borough for which such booth is respectively allotted ; and no person shall be admitted to vote at any such Election except at the booth allotted for the part wherein the house, warehouse, counting-house, office or shop occupied by him, as described in the assessment to be made as aforesaid may be ; but in case no booth shall happen to be provided for any particular part as aforesaid, the votes of the persons voting in respect of property situate in any part so omitted may be taken at any of the said booths ; and public notice of the situation, division and allotments of the different booths shall be given Two Days before the commencement of the poll by the Mayor ; and in case the booths shall be situated in different places, the Mayor may appoint a Deputy to preside at each place ; provided, that no Election shall be holden under this Act in any Borough, in any church, chapel or other place of public worship.

166.

CLAUSE (B. 1.)
No Inquiry
of the Voter
except as to
his Identity,
and whether
he has voted
before at the
same Elec-
tion.

And be it Enacted, That no inquiry shall be permitted at any election as to the right of any person to vote for the election of Commissioners in any Borough, except only as follows ; (that is to say,) that the Mayor or other presiding officer shall, if required by any two persons entitled to vote in the same Borough, put to any Voter at the time of his delivering in his voting paper, and not afterwards, the following questions, or any of them, and no other :

Form of
Questions as
to these
Points.

1.—Are you the person whose name is signed as A. B. to the voting paper now delivered by you ?

2.—Are

2.—Are you the person whose name appears as *A. B.* on the assessment for the relief of the poor of the parish of
in this Borough, being rated therein for property described to
be situated in ? [Here specify the street, &c.
as described in the rate-book.]

3.—Have you already voted at the present election?

And no person required to answer any of the said questions shall be permitted or qualified to vote until he shall have answered the same; and if any person shall wilfully make a false answer to any of the questions aforesaid, he shall be deemed guilty of a misdemeanour, and may be indicted and punished accordingly.

And be it Enacted, That the Mayor shall examine the voting papers so delivered as aforesaid for the purpose of ascertaining which of the several persons voted for are duly elected, and so many of such persons, being equal to the number of persons then to be chosen, as shall have the greatest number of votes, shall be deemed to be elected; and in case of an equality in the number of votes for any two or more persons, the Mayor shall name from amongst those persons for whom the number of votes shall be equal, so many as shall be necessary to complete the requisite number of persons to be chosen; and the Mayor shall cause the voting papers to be kept in the office of the Town Clerk during Six calendar Months at the least after every such election, and the Town Clerk shall permit any person who was entitled to vote, or any two such persons together, to inspect the same, on payment of One Shilling for every search; and the Mayor shall publish a List of the names of the persons so elected, together with the number of votes given in favour of each person so elected, not later than Two of the clock in the Afternoon of the day next but one following the day of such election, unless such day be Sunday, and then on the Monday following: Provided always, That if the Mayor of any Borough shall, at the time when it shall be necessary to execute the powers and duties herein provided with respect to electors, be dead, absent or otherwise incapable of acting, the Aldermen and Common Council, or other governing officers of such Borough, shall forthwith elect one of the Aldermen or other governing officers to execute all such powers and duties in his place, whose acts shall be as valid as any act of the person instead of whom he shall have been so elected.

167.
CLAUSE (C. 1.)
Result of
Election how
to be de-
clared.

And be it Enacted, That no person being in holy orders, or being the regular Minister of any Dissenting Congregation, shall be qualified to be elected or to be a Commissioner of any Borough; nor shall any person be qualified to be elected or to be a Commissioner of any Borough who shall not be assessed in respect of property in such Borough, to a rate or rates amounting to Twenty Pounds or upwards, nor unless he

168.
CLAUSE (D. 1.)
Who not
qualified to be
chosen Com-
missioners.

shall be seised or possessed of real or personal estate, or of both, of the clear value of One thousand Pounds above what will satisfy his debts; nor shall any person so qualified to be elected or to be a Commissioner of any Borough who shall hold any office or place of profit in the gift or disposal of the Commissioners or Charitable Trustees of such Borough, or while he is an uncertificated bankrupt, or during such time as he shall have directly or indirectly, by himself or his partner, any share or interest in any contract or employment with, by or on behalf of such Commissioners or Charitable Trustees: Provided, That no person shall be disqualified from being a Commissioner of any Borough as afore-said by reason of his being a proprietor or shareholder of or in any Company which shall contract for lighting or supplying with water any part of the said Borough, or insuring against fire any property therein.

169.

CLAUSE (E. 1.)
Commissioners not to act until they have made a Declaration of Acceptance of Office.

And be it Enacted, That no person elected a Commissioner for any Borough under the Provisions of this Act shall be capable of acting as such, except in administering the Declaration hereinafter contained, until he shall have made and subscribed before any Two or more of such Commissioners (who are hereby respectively authorized and required to administer the same) a Declaration in the words or to the effect following; (that is to say,)

“I, A. B., having been elected Commissioner for the Borough of _____, do hereby declare, That I take the said office upon myself, and will duly and faithfully fulfil the duties thereof, according to the best of my judgment and ability; and I do hereby declare, That I am seised or possessed of real or personal estate, [or both, as the case may be,] to the amount of One thousand Pounds, over and above what will satisfy my debts; and that I now occupy a house situate within the Borough of _____, in respect of which I am assessed to a rate of Twenty Pounds and upwards, under the Act for the Relief of the Poor.”

And that every Commissioner who shall have made and subscribed the foregoing Declaration in respect of estate and rating shall, once in every period of Three Years, if required in writing so to do by any Commissioner, make and subscribe a Declaration that he is qualified to the same amount in real or personal estate, or both, as the case may then be, and rating as the amount mentioned in the Declaration originally made or subscribed by him.

170.

CLAUSE (F. 1.)
Any Commissioner, if he shall be declared bankrupt or insolvent, shall lose his office.

Provided always, and be it Enacted, That if any person holding the office of Commissioner for any Borough shall be declared bankrupt, or shall apply to take the benefit of any Act for the Relief of Insolvent Debtors, or shall compound by Deed with his creditors, then
and

and in every such case such person shall thereupon immediately become disqualified, and shall cease to hold the office of such Commissioner.

171.

CLAUSE (G. 1.)
Penalty on
person not
qualified, &c.
acting as Com-
missioner.

And be it Enacted, That if any person shall act as Commissioner for any Borough without having made the Declaration hereinbefore required in that behalf, or without being duly qualified at the time of making such Declaration, or after he shall have ceased to be qualified according to the provisions of this Act, or after he shall have become disqualified to hold any such office, he shall for every such offence forfeit the sum of Fifty Pounds, such sum to be recovered with full costs of suit, by any person who will sue for the same within Three calendar Months after the commission of such offence, by action of debt or on the case, in any of Her Majesty's Superior Courts of Record; and every person so sued by reason of not being so qualified in respect of estate shall prove that he was at the time of so acting qualified as aforesaid, or otherwise shall pay the said penalty, without any further evidence being given on the part of the plaintiff than that such person has acted as the Commissioner of such Borough: Provided always, That it shall be lawful for any defendant, by Judge's order, or by the order of the Court, to be obtained within Fourteen Days after he shall have been served with process in any such action, to require the plaintiff to give security for costs; and in such case all further proceedings in the said cause shall be stayed until the plaintiff shall give security to the satisfaction of the proper officer of the court for the costs of such action in case a verdict shall pass for the defendant, or the plaintiff shall become nonsuit or discontinue such action, or if upon demurrer or otherwise judgment shall be given against the plaintiff; and the defendant shall in either of such cases recover his full costs as between attorney and client: Provided also, That no such action shall be brought except by a person qualified to vote for Commissioners for such Borough, nor unless such person bringing the same shall, within Fourteen Days after the commission of the offence, have served a notice in writing personally upon the party committing such offence, of his intention to bring such action; and in case the plaintiff in any such action shall obtain a verdict, the money so to be recovered shall, after payment of the costs and expenses attending the recovery thereof, be paid and apportioned as follows; (that is to say,) one moiety thereof to the person so suing, and the other moiety thereof to the Treasurer to be appointed by virtue of this Act, to be by him applied in aid of the Town Fund: Provided always, That all acts and proceedings of any person in possession of the office, and acting as a Commissioner, shall, notwithstanding such disqualification or want of qualification, or any other defect or want of title, be as valid and effectual as if such person had been duly qualified or entitled.

Proviso.

172.

CLAUSE (H. 1.)
On the election of Commissioners in any Borough the Corporation shall be dissolved.

And be it further Enacted, That after the election of Commissioners under this Act in any Borough named in Schedule (B.) the Body or reputed or late Body Corporate, named in the said Schedule (B.) to this Act annexed in connexion with such Borough shall be dissolved, save only so far and for such purposes as hereinafter are mentioned.

173.

CLAUSE (I. 1.)
Corporations which have no property to be dissolved on the day named by the Lord Lieutenant, or at the expiration of Twelve Months from such day, in case of there being a petition for a Charter and its not being granted.

And be it further Enacted, That if the Body Corporate in any Borough named in the said Schedule (B.) from which no petition for a Charter of Incorporation, signed as aforesaid, shall be presented to Her Majesty on or before the day to be named by the said Lord Lieutenant, as hereinbefore is mentioned, or in any Borough named in the said Schedule (B.) to which no Charter of Incorporation in pursuance of any petition signed as aforesaid shall be granted within Twelve calendar Months next after the day to be named by the said Lord Lieutenant as aforesaid, shall not be seised of or possessed of or entitled to any property consisting of any real estate, or of or to any personal property, exceeding in annual amount and value the sum of One hundred Pounds, then and in every such case, where no such petition as aforesaid, shall have been presented from the inhabitants of such Borough on or before the day to be named by the said Lord Lieutenant as aforesaid, and where such a petition shall have been presented at the expiration of the said Twelve calendar Months next after the day to be named as aforesaid, (as the case may be,) the Body or reputed or late Body Corporate named in the said Schedule (B.) to this Act annexed in connexion with such Borough shall be dissolved, save only so far and for such purposes as hereinafter are mentioned.

174.

CLAUSE (K. 1.)
After the commencement of the Act, existing Mayors, &c. and Officers to continue until new election or dissolution.

And be it further Enacted, That after this Act shall have come into operation in any Borough named in the said Schedule (A.) no election shall be holden for any officer of the Body Corporate named in the said Schedule (B.) in connexion with any Borough, except for the purpose of supplying a vacancy occasioned by death, removal or resignation; and in every case in which an election of any such Officer is appointed by any statute, charter, bye-law or custom to be holden between the day on which this Act shall so come into operation as aforesaid, and the day on which a Charter of Incorporation shall be granted to the inhabitants of such Borough in pursuance of a petition signed as aforesaid, or on which such Body Corporate shall by virtue of this Act be dissolved, and the day on which such office shall cease, or the person holding it shall go out of office, or be duly removed, the person holding or elected to such office on the day on which this Act shall so come into operation as aforesaid shall hold such office, and have all the powers and be subject to all the duties belonging thereto, in the same manner as if he had been elected to such office at any time between the day on which this Act shall

so come into operation and the said day on which his office shall cease, or he shall go out of office or be removed from such office : Provided always, That no person so elected for the purpose of supplying such vacancy shall be entitled to any compensation under the provisions of this Act.

And be it further Enacted, That the powers and duties (except such as are hereinafter continued) of the Mayors, Aldermen and Common Councilmen, and all other members, by whatever name or style they may be called, of any Body Corporate named in the said Schedule (B.) which shall be dissolved by virtue of this Act, shall cease on the day on which such Body Corporate shall be dissolved by virtue of the provisions hereinbefore contained.

175.

CLAUSE (L. 1.)
The powers of Mayors and Common Councilmen to cease on the dissolution of the Corporation.

And be it further Enacted, That the powers and duties of all persons who by virtue of any charter shall be Justices of the Peace in any of the said Boroughs named in the said Schedule (B.) shall, in case the Body Corporate named in the said Schedule in connexion with such Borough shall be dissolved by virtue of this Act, cease on the day on which such Body Corporate shall be dissolved by virtue of the provisions hereinbefore contained : Provided always, That if the Body Corporate of the Borough of Carrickfergus shall be dissolved, the powers and duties of all persons who by virtue of any Charter shall on the day preceding such dissolution be Justices of the Peace in such Borough, notwithstanding they may have ceased to hold the office by virtue of which they shall be such Justices, shall continue until a separate Commission of the Peace shall have been granted to such Borough or Town of Carrickfergus, and no longer.

176.

CLAUSE (M. 1.)
Justices of the Peace to cease on dissolution, except in Carrickfergus, where they are to continue in office until a separate Commission shall have been granted to that town.

And be it further Enacted, That the powers and duties of all persons who, on the day preceding the dissolution of any Body Corporate by virtue of this Act, shall be Justices of the Peace with salaries or fees, by virtue of any Act or Acts of Parliament now in force in the Boroughs named in the said Schedule (B.) to this Act annexed in connexion with such Body Corporate, whether such persons shall be Justices in their respective corporate capacities, or shall have been elected or appointed by any such Body Corporate, or any member or members thereof in his or their corporate capacity, and where such persons shall have been such Justices in their respective corporate capacities, notwithstanding that they shall have ceased to hold the offices by virtue of which they shall be such Justices, shall continue, and the same Police Office and Officers, and Servants and Establishments, for the performance of such powers and duties, and all laws and provisions relating thereto, shall be continued and remain in force in the same manner as if this Act had not been passed, until such time as the Lord Lieutenant shall, by notice to be published in the Dublin Gazette, declare that the same shall determine ;

177.

CLAUSE (N. 1.)
The powers of salaried Magistrates under Acts of Parliament continued until determined by the Lord Lieutenant.

and at the time to be mentioned in any such notice the powers and duties of the person or persons therein named as Justice or Justices in such Town shall cease.

178.

CLAUSE (O. 1.)
Duties of
Sheriffs per-
formed by
other Officers
to cease on
dissolution.

And be it further Enacted, That such of the powers and duties of any Mayor, Bailiff, Provost or Portreeve of any Borough named in the said Schedule (B.) to this Act annexed, as are exercised and performed in other places by Sheriffs, shall, in case the Body Corporate named in connexion with such Borough in the said Schedule, shall be dissolved by virtue of this Act, cease on the day on which such Body Corporate shall be dissolved.

179.

CLAUSE (P. 1.)
Coroners to
be discon-
tinued on
dissolution.

And be it further Enacted, That the powers and duties of Coroners of any Boroughs named in the said Schedule (B.) to this Act annexed shall, in case the Body Corporate named in connexion with such Borough in the said Schedule shall be dissolved by virtue of this Act, cease on the day on which such Corporation shall be dissolved.

180.

CLAUSE (Q. 1.)
Clerks of
Markets or
Weighmas-
ters appointed
by Corpora-
tions to con-
tinue in their
offices as if this
Act had not
been passed.

And be it further Enacted, That every person who shall have been elected or appointed by any Body Corporate named in the said Schedule (B.) to this Act annexed, which shall be dissolved by virtue of this Act, or by any Member or Members thereof, in his or their corporate capacity, to be a clerk of a market, or a weighmaster of all goods, wares and merchandizes, or a weighmaster of butter, or taster of butter, or assay master, and shall not be entitled to such office as a Member of such Body Corporate in his corporate capacity, shall continue to hold such offices, and to execute all the duties heretofore belonging thereto, as if this Act had not passed: Provided always, That if such office shall be filled up upon any resignation or removal made after the passing of this Act, in such case the person appointed to such office may be removed at the pleasure of the Lord Lieutenant, and any person so removed shall not be entitled to compensation under the provisions of this Act.

181.

CLAUSE (R. 1.)
Officers to
continue until
removed.

And be it Enacted, That every person who shall be a Town Clerk, Bailiff, Treasurer or Chamberlain, or other ministerial or executive Officer of any Body Corporate named in the said Schedule (B.) to this Act annexed, which shall be dissolved by virtue of this Act, and who shall be in such office at the time of such dissolution, shall continue to execute all the duties heretofore belonging to his office, so far as the same are not inconsistent with the provisions of this Act, in the same manner as he would have done if this Act had not passed, until he shall be removed from his office by the Commissioners to be appointed in such Borough by virtue of this Act, or where there shall be no such Commissioners by the Lord Lieutenant.

182.

CLAUSE (S. 1.)
Officers to
receive Com-
pensation on
removal.

And be it Enacted, That every officer of any Body Corporate named in the said Schedule (B.) which shall be dissolved by virtue of this Act,
and

and in the Borough named in connexion with which in the same Schedule Commissioners shall be appointed as aforesaid, who shall be in any office of profit at the time of the passing of this Act, whose office shall be abolished, or who under the provisions of this Act shall be removed from his office, or deprived of fees or emoluments to which he would have been entitled if this Act had not been passed, shall be entitled to have an adequate compensation, either by way of a sum in gross or of annuity, out of the property of such Body Corporate respectively, to be assessed and paid as hereinafter is mentioned, for the salary, fees and emoluments of the office which he shall cease to hold, or of the fees or emoluments of which he shall be so deprived, regard being had to the manner of his appointment to the said office and his term or interest therein, whether such person shall have held his office for life, or the usage shall have been such as to raise a just expectation that the office should continue for life, and all other circumstances of the case; and every person entitled to such compensation as aforesaid shall deliver to the Treasurer of the Commissioners to be appointed in pursuance of this Act a statement under the hand of such person, setting forth the amount received by him or his predecessors in every year during the period of Five Years next before the passing of this Act, on account of the salary, fees, emoluments, profits and perquisites in respect whereof he shall claim such compensation, distinguishing the office, place, situation, employment or appointment in respect whereof the same shall have been received, and containing a declaration that the same is a true statement according to the best of the knowledge, information and belief of such person, and also setting forth the sum claimed by him as such compensation.

And be it Enacted, That all pensions and allowances granted on or before the Fifth day of June One thousand eight hundred and Thirty-five, or sums granted in conformity with established usage, by any Corporate Body named in the said Schedule (B.) which shall be dissolved by virtue of this Act, and in the Borough named in connexion with which in the said Schedule (B.) Commissioners shall be appointed as aforesaid, to any officer or servant retired therefrom, or by sickness or infirmity rendered incapable of performing the duties of his office, or to the widow or child of any member, officer or servant, and all stipends and allowances which during Seven Years next before the said Fifth day of June have been usually paid and granted to the Minister or late Minister of any Church or Chapel, or to the Master or Usher of any school, or to the Governor or Master of any Hospital, within the town in which such Body Corporate is constituted, and all charitable allowances which have been usually paid as aforesaid to the inmates of any almshouses by such Corporate Body, shall be paid as hereinafter mentioned to every person entitled or accustomed to have and receive the same, unless the property of such Body Corporate and vested in such Commissioners shall not be sufficient for the payment thereof.

183.
CLAUSE (T. 1.)
Pensions and
Allowances.

184.

CLAUSE (V. 1.)
Regulations
of the Com-
missioners.

And be it further Enacted, That the said Commissioners to be elected in every Borough in pursuance of this Act shall meet and sit as a Board of Commissioners for carrying this Act into execution, at such place or places and at such time or times as they shall think expedient, or as the Lord Lieutenant shall direct, and may adjourn from time to time as they may think proper; but no business shall be transacted at any such Board unless Three Commissioners be present; and at every such Board One of the Commissioners present shall be appointed Chairman; and all questions shall be determined by a majority of votes, and all the powers and authorities by this Act granted to or vested in the Commissioners shall and may from time to time be exercised by the major part of them present at meetings to be holden as aforesaid; and in case of an equality of votes the Chairman shall have a second or casting vote; and every Commissioner shall have power to direct a Board to be summoned at any time and for any purpose relating to the execution of this Act which he may think proper.

185.

CLAUSE (W. 1.)
Power to
Commis-
sioners to
appoint Town
Clerk, Trea-
surer and
other Officers,
and to take
security for
due discharge
of their
official duties.

And be it Enacted, That the said Commissioners in every Borough shall appoint, to be removeable at their pleasure, a fit person or persons to be the Treasurer or Treasurers of the said Commissioners, and also shall and may appoint any fit persons, being officers of the Body Corporate named in the said Schedule (B.) to this Act annexed in connexion with such borough respectively, or any other person or persons, to be collectors or other officers (except such officers as are by this Act directed to be appointed by the Lord Lieutenant or other person or persons) for enabling them to carry into execution the various powers and duties vested in them by virtue of this Act, and may from time to time discontinue the appointment of such officers as shall appear to them unnecessary, and shall take such security for the due execution of his office by any such Treasurer or other officer as the said Commissioners shall think proper; and shall order to be paid to the Treasurer, and to every such other officer to be employed as aforesaid, such salary or allowance as the said Commissioners shall think reasonable; and in case of a vacancy in any such office as aforesaid, by death, resignation, removal or otherwise, the said Commissioners may appoint another fit person in the place of the person so making such vacancy.

186.

CLAUSE (X. 1.)
Treasurer to
pay no money
but by order
of Commis-
sioners.

And be it Enacted, That no Treasurer of the said Commissioners of any Borough shall pay any money on account of the said Commissioners, save only upon the order in writing of a Board of Commissioners of such Borough, signed by Two or more of the Commissioners, and counter-signed by their Clerk.

187.

CLAUSE (Y. 1.)
Receipts of
the Treasurer
to be effectual
discharges.

And be it further Enacted, That the receipt or receipts of any Treasurer of the said Commissioners of any Borough for any purchase monies, rents or profits, or other sum or sums of money payable unto him
by

by virtue of this Act, shall be a sufficient and effectual discharge, or sufficient and effectual discharges for the money in such receipt or receipts expressed or acknowledged to be received, and the purchaser or purchasers to whom the same respectively shall be given, shall not afterwards be answerable or accountable for the misapplication or nonapplication of the money in such receipt or receipts expressed or acknowledged to be received.

And be it Enacted, That every Treasurer or other officer appointed by the Commissioners shall, at such times during the continuance of his office, or within Three calendar Months after the expiration of his office, and in such manner as the said Commissioners shall direct, deliver to the said Commissioners, or to such person as they shall authorize for that purpose, a true account in writing of all matters committed to his charge by virtue of this Act, or under colour of his office, and also of all monies which shall have been by him received by virtue or for the purposes of this Act, or under colour of his office, and how much thereof shall have been paid and disbursed, and for what purposes, together with proper vouchers for such payments, and also a list of the names of all such persons as shall not have paid the monies due from them for the purposes of this Act, and of amount due from each of them; and every such officer shall pay all such monies as shall remain due from him to the Treasurer for the time being, or to such person as the said Commissioner shall authorize to receive the same; and if any such officer shall refuse or wilfully neglect to deliver such account, or the vouchers relating to such account, or such list as aforesaid, or to make payment as aforesaid, or shall refuse or wilfully neglect to deliver to the said Commissioners, or to such person as they shall authorize, within Three Days after being thereunto required by notice in writing under the hands of any Two or more of the said Commissioners, to be given to or left at the last place of abode of such officer, all books, papers, and writings in his custody or power relating to the execution of this Act, or to give satisfaction to the said Commissioners, or to such other person as aforesaid, respecting the same, then and in every such case, upon complaint made, on behalf of the said Commissioners, by such person as they shall authorize for that purpose, of any such refusal or wilful neglect as aforesaid to any Justice of the Peace for the county or other jurisdiction wherein such officer so refusing or neglecting shall be or reside, such Justice is hereby authorized and required to issue a warrant under his hand and seal for bringing such officer before any Two Justices of the Peace for such county or jurisdiction, and upon the said officer appearing or not being found, it shall be lawful for such Justices to hear and determine the matter in a summary way; and if it shall appear to such Justices that any monies remain due from such officer such Justices may and they are hereby authorized and required, upon non-payment thereof, by warrant under their hands and seals, to cause

188.

CLAUSE (Z.1.)
Officers to
account, &c.
according to
the orders of
the Commis-
sioners.

Summary
remedy
against
Officers for
not account-
ing, &c.

such monies to be levied by distress and sale of the goods of such officer, and if sufficient goods shall not be found to satisfy the said monies and the charges of the distress, or if it shall appear to such Justices that such officer has refused or wilfully neglected to deliver such account or the vouchers relating thereto, or such list as aforesaid, or that any books, papers or writings relating to the execution of this Act remain in the hands or in the custody or power of such officer and that he has refused or wilfully neglected to deliver the same, or to give satisfaction respecting the same as aforesaid, then and in every such case such Justices shall and they are hereby required to commit such offender to the common gaol or house of correction for the county or jurisdiction where such offender shall be or reside, there to remain without bail until he shall have paid such monies as aforesaid or shall have compounded with the Commissioners for such monies, and shall have paid such composition in such manner as they shall appoint, (which composition the said Commissioners are hereby empowered to make and receive,) or until he shall have delivered a true account as aforesaid, together with such vouchers and list as aforesaid, or until he shall have delivered up such books, papers and writings, or have given satisfaction in respect thereof to the said Commissioners or to such other person as the case may be: Provided always, That no person so committed shall be detained in prison for want of sufficient distress only for a longer space of time than Three calendar Months: Provided also, That nothing in this Act contained shall prevent or abridge any remedy by action against any such officer so offending as aforesaid, or against any surety for any such officer, but such officer shall not be sued by action and also proceeded against in a summary manner by virtue of this Act for the same cause.

Proviso and
remedy by
Action.

189.

CLAUSE (A.2.)
Property of
the Corpora-
tions vested
in the Com-
missioners.

And be it further Enacted, That on the day on which any body corporate named in connexion with any borough in Schedule (B.) to this Act annexed shall be dissolved by virtue of this Act, all the manors, advowsons, messuages, town halls, public and other buildings, lands, rents, hereditaments, leasehold estates, goods, chattels, money, debts, stocks, funds, securities, personal estate and effects, and all other property whatsoever and wheresoever, and of what nature or kind soever of or to which any such body corporate, or any one or more of the members of such body corporate, in his or their corporate capacity, is or are or shall be seised or possessed or entitled for any estate or interest whatsoever, (except property held in trust for any charitable uses or trusts or other purposes, and property in respect of which other provisions are herein contained,) and all the estate, right, title and interest of such bodies corporate, member or members, shall be and the same are hereby vested in the commissioners to be elected in such borough respectively in pursuance of this Act, subject to such mortgages, charges, debts and incumbrances, rents, contracts, covenants and conditions, as the same respectfully shall then be subject or liable to.

And

And be it further Enacted, That every person and body Corporate who on the day preceding the day on which any body corporate named in connexion with any borough in Schedule (B.) to this Act annexed shall be dissolved by virtue of this Act, shall owe any sum of money to such body corporate, shall pay the same, together with all interest (if any) due or to accrue due for the same, to the Commissioners to be elected in such borough in pursuance of this Act or their Treasurer ; and all rents and sums of money which on the same day shall be due and payable, or then accruing due and payable to such body corporate, shall become and be due and payable to the said Commissioners, and shall and may be collected and recovered by the like ways and means, and with the same penalties in respect thereof, and in like manner as the body corporate to whom the same respectively shall be due or payable might have collected and recovered the same respectively if this Act had not been passed ; and all conveyances, contracts, agreements, bonds, covenants and securities made or entered into before the day on which such body corporate shall be dissolved, to, with or in favour of such body corporate, shall be good, valid and effectual in favour of the said commissioners, and may be enforced in the same manner to all intents and purposes as such body corporate might have enforced the same if this Act had not been made.

190.
CLAUSE (B.2.)
Debts and
Contracts of
Corporations
may be
enforced by
the Commis-
sioners.

And be it further Enacted, That every person and body corporate who, on the day preceding the day on which any body corporate named in connexion with any Borough in Schedule (B.) to this Act annexed shall be dissolved by virtue of this Act, shall claim to be entitled, or would thereafter if this Act had not been passed have become entitled, to any sum of money owing from or payable by such Body Corporate, or shall claim any part of the property of such Body Corporate in respect of any mortgage, charge, conveyance, contract, agreement, bond, covenant or security which shall have been made or entered into with or in favour of him or them by such Body Corporate before the same day, shall and may recover or enforce the same as against the property of such Body Corporate respectively by this Act vested in the said Commissioners by the same actions, suits, remedies or proceedings against the said Commissioners, and in the same manner as he or they respectively might have recovered or enforced the same against such Body Corporate respectively if this Act had not been made ; but the costs of the said Commissioners in any such actions, suits, remedies or other proceedings shall be raised and paid out of the property of such Body Corporate respectively hereby vested in them in preference to any sum of money, costs, damages or expenses, claim or demand in favour of any such person or Body Corporate claiming as aforesaid.

191.
CLAUSE (C.2.)
Property
vested in the
Commis-
sioners to be
subject to the
claims of cre-
ditors, &c.
of the Corpo-
rations.

And be it Enacted, That it shall not be lawful for any Body Corporate named in the said Schedule (B.) at any time after the passing

192.
CLAUSE (D.2.)
Power of
sale and
leasing
restrained.

of this Act to sell, mortgage or alienate the lands, tenements and hereditaments of the said Body Corporate, or any part thereof, except in pursuance of some covenant or contract or agreement *bonâ fide* made or entered into on or before the Fifth day of June in the year One thousand eight hundred and Thirty-five, by or on behalf of such Body Corporate, or of some resolution duly entered in the Corporation books of such Body Corporate on or before the said Fifth day of June, or to demise or lease, except in pursuance of some covenant, contract or agreement *bonâ fide* made or entered into on or before the said Fifth day of June, by or on behalf of such Body Corporate, or in pursuance of some resolution duly entered in the Corporation books of such Body Corporate on or before the said Fifth day of June, except in the cases hereinafter mentioned, any lands, tenements or hereditaments of such Body Corporate, or any part thereof, or to enter into any new contract or agreement, except in the cases hereinafter mentioned, for demising or leasing the said lands and tenements and hereditaments, or any part thereof, for any term exceeding Thirty-one Years from the time when such lease shall be made, or if made in pursuance of a previous agreement then from the time when such agreement shall have been entered into; and in every such lease for any term not exceeding such term of Thirty-one Years there shall be reserved and made payable, except in the cases hereinafter mentioned, during the whole of the term thereby granted, such clear yearly rent as to the Body Corporate shall appear reasonable, without taking any fine for the same.

193.
 CLAUSE (E 2.)
 Provision in
 certain cases
 of leasing.

Provided always, and be it Enacted, That in all cases in which any Body Corporate shall on the Fifth day of June in the year One thousand eight hundred and Thirty-five have been bound or engaged by any covenant or agreement, express or implied, or have been enjoined by any deed, will or other document, or have been sanctioned or warranted by ancient usage or by custom or practice, to make any renewal of any lease for years, or for life or lives, or for years determinable with any life or lives at any fixed or determinate or known or accustomed period, or after the lapse of any number of years, or on the dropping of any life or lives, at a fine certain, or under any special or specific terms or conditions, and also in all cases in which any Body Corporate shall theretofore have ordinarily made renewal of any lease for years, or for life or lives, or for years determinable with any life or lives, at any fixed or determinate or known or accustomed period, or after the lapse of any number of years, or upon the dropping of any life or lives, upon the payment of an arbitrary fine, it shall be lawful for such Body Corporate, and after the dissolution thereof by virtue of this Act for the Commissioners to be appointed in the Borough named in connexion with such Body Corporate in the said Schedule, to renew such lease for such term or number of years, either
absolute

absolute or determinable with any life or lives, or for such life or lives, and at such rent, and upon the payment of such fine or premium, either certain or arbitrary, and with or without any covenant for the future renewal thereof, as such Body Corporate could or might have done in case this Act had not been passed.

And be it Enacted, That all purchases, sales, leases and demises not made in pursuance of some such bona fide covenant, contract, agreement or resolution made and entered into as aforesaid before the said Fifth day of June, and all contracts for the purchase, sale, lease or demise of any lands tenements and hereditaments, and all divisions and appropriations of the monies, goods and valuable securities, or any part of the real or personal estate of which on or before the said Fifth day of June the Body Corporate, whether in their own right or as Trustees for charitable or other purposes, was seised or possessed, which shall have been made or contracted between the said Fifth day of June, may be called in question by the Commissioners for the Borough named in connexion with such Body Corporate in the said Schedule; and for that purpose, if it shall appear to such Commissioners that there is ground for believing that any such purchase, sale, lease or demise, or such contract, or such division or appropriation of the premises, was collusively made for no consideration, or for an inadequate consideration, such Commissioners, at any time within Twelve calendar Months next after the election of such Commissioners, shall have such or the like powers of causing to be inquired of and found, upon notice, of the value of the lands, tenements, hereditaments and premises in question, and the consideration which shall have been given, and also that which ought of right to have been given for the purchase, sale, lease, demise or appropriation thereof, according to the terms of such purchase, sale, lease, demise, contract or appropriation; and the party to any such purchase, sale, lease, demise, contract or appropriation shall have in similar cases the like option either to re-convey and restore the lands, tenements, hereditaments and premises in question, and to abandon the contract to which he shall have been party, or to give in each case additional consideration upon the like terms and with the like provisions, unless he shall make such option for making void every such purchase, sale, lease, demise, contract and conveyance, and with all the like provisions, powers and authorities, and subject to the like regulations and provisions, as hereinbefore are given to the Council first to be elected in any Borough named in the said Schedule (A.) under the provisions of this Act in similar cases.

194.
CLAUSE (F.2.)
Collusive
purchases,
sales and
demises of
Corporate
property since
the 5th June
1835 for
undue consi-
deration may
be set aside.

And be it further Enacted, That the provisions hereinbefore contained, to take effect on the day upon which this Act shall come into operation, with respect to any hereditaments, or any sums of money, chattels, secu-
632.

195.
CLAUSE (G.2.)
Charitable
Trustees and
Trusts, and
powers for
beneficial
owners.

rities for money or any other personal estate of which the Body Corporate in any Borough named in the said Schedule (A.) or any one or more of the members of such Body Corporate in his or their corporate capacity, or any person or persons elected from among or out of the Members or any of the Members of such Body Corporate, or any person or persons elected solely by such Body Corporate, or solely by any particular number, class or description of Members of such Body Corporate, stands or stand, solely or together with any other Body or Bodies Corporate, person or persons, seised or possessed, for any estate or interest whatsoever, in whole or in part for the benefit of any charitable uses or trusts whatsoever, or upon trust for any other purposes; and also with respect to powers or provisions of any Act or Acts of Parliament authorized to be exercised by any such Body Corporate, person or persons, for supplying Water or Gas, or for any other purpose producing profits, which, or part of which, are to be divided between shareholders or proprietors, or other persons for their own benefit, and which provisions are to take effect on the day on which this Act shall come into operation, shall, upon the dissolution by virtue of this Act of any Borough named in the said Schedule (B.) to this Act annexed, but not before, be extended and be applied to any hereditaments, or any sums of money, chattels, securities for money or other personal estate, or powers or authorities, which the Body Corporate in any Borough named in the said Schedule (B.) which shall be dissolved by virtue of this Act, or any one or more of the Members thereof in his or their corporate capacity, or any person or persons elected from among or out of the Members or any of the Members of such Body Corporate, or by such Body Corporate or any Member or Members thereof as aforesaid, stands or stand, solely or together, as aforesaid, seised or possessed for any estate or interest whatsoever upon trust for any charitable uses or trusts, or upon trust for any other purposes; and with respect to powers or provisions of any Act or Acts of Parliament authorized to be exercised by any such Body Corporate, person or persons, for the like purposes as aforesaid, in the same manner to all intents and purposes as if the same provisions were repeated, the words "Borough named in the said Schedule (A.)" being altered into the words "Borough named in the said Schedule (B.), and which shall be dissolved by virtue of this Act," and were made to take effect on the day of the dissolution of such Body Corporate respectively, instead of the day on which this Act shall commence.

196.

CLAUSE (H.2.)
Saving provisions of
Local Acts.

And be it Enacted, That nothing in this Act contained shall alter or affect the provisions of any local Act or Acts of Parliament made before the passing of this Act for lighting, watching, cleansing, paving or otherwise relating to any Borough or Town named in the said Schedule (B.) to this Act annexed, further or otherwise than as the same are inconsistent with or contrary to the provisions of this Act; and that all powers which by any such Act of Parliament are vested in

any

any Body Corporate named in the said Schedule (B.) which shall be dissolved by virtue of this Act, or any Member or Members thereof in his or their Corporate capacity, or any limited number, class, or description thereof, or any person or persons elected from among or out of the Members of such Body Corporate or any of them, or any person or persons elected by such Body Corporate or any Member or Members thereof, shall, upon the day on which such Body Corporate respectively shall be dissolved, and thenceforth until Parliament shall otherwise provide, be exercised in manner hereinafter mentioned; (that is to say,) such of the said powers as relate to the appointment of Justices of the Peace or Magistrates (other than the election of persons who shall in their Corporate capacity be such Justices or Magistrates), or to the appointment of other officers for the administration of justice, or in anywise relating thereto, or to the appointment of Constables or other persons for purposes relating to Police, shall be exercised by the Lord-lieutenant as if he had been named in such Act of Parliament respectively instead of such Body Corporate, or Member or Members, person or persons, and all other of the said powers not otherwise herein provided for shall be exercised, alone, or together with such other persons (if any) as would have been entitled to join in exercising the same if this Act had not been passed, by the persons who on the preceding day shall have been the Mayor, Aldermen and Common Council, or other the governing Officers of such Corporation, in the place of such Body Corporate, in cases where the same are vested in the Body Corporate alone, or together with any other persons (as the case may be), and in other cases by the person or persons who shall on the preceding day have been such Member or Members of such Body Corporate, or person or persons elected as aforesaid, who, alone or together, as aforesaid, shall continue to exercise the same, notwithstanding that he or they, or such of them as shall have been a Member or Members of any such Body Corporate, have ceased to hold the office by virtue of which before the dissolution of such Body Corporate he or they shall have been entitled to exercise or join in exercising the same, and notwithstanding he, they, or any of them (whether a Member or Members of any such Body Corporate, or a person or persons elected as aforesaid,) would have gone out of office at any time after the day of such dissolution, or otherwise ceased to have been entitled to exercise or join in exercising the same if this Act had not passed; and the persons hereby appointed to exercise such powers shall be removable by the Commissioners to be elected in such borough respectively by virtue of this Act, when the said Commissioners shall think proper, who shall upon any such vacancy (if they shall think necessary, but not otherwise,) appoint a person, or the like number of persons, or a number of persons as near as may be to the like number of persons, who were enabled to exercise or join in exercising such powers in room of and who shall have the same power and authority as the Body Corporate, or Member or

Members of such Body Corporate, or person or persons, claiming to exercise or join in exercising such powers.

197.

CLAUSE (I. 2.)
Other Corporations of which any Body Corporate named in the Schedule, or any of its members, form part, to be continued.

*And be it further Enacted, That in every case in which any Body Corporate named in the said Schedule (B.) to this Act annexed which shall be dissolved by virtue of this Act, or any One or more of the Members of such Body Corporate in his or their Corporate capacity, or any limited number, class, or description of the Members thereof, or any person or persons elected from among or out of the Members of such Body Corporate, or any person or persons elected by any such Body Corporate, or any Member or Members thereof, is any other Body Corporate, or part of, or is or are a Member or Members of any other Body Corporate for any charitable or public or other purpose, such other Body Corporate shall continue in force as if this Act had not passed; and on the day of the dissolution of such Body Corporate respectively, and thenceforth until Parliament shall otherwise provide, where any Body Corporate named in the said Schedule (B.) to this Act annexed is such other Body Corporate or part thereof, then, instead of such Body Corporate, the persons who on the preceding day shall have been the Mayor, Aldermen and Common Council, or other governing Officers of such Body Corporate, shall be Members of such other Body Corporate; and in other cases the person or persons who on such preceding day shall have been a Member or Members of such other Body Corporate shall continue to be a Member or Members thereof, notwithstanding he or they, or such of them as shall have been a Member or Members of a Body Corporate mentioned in the said Schedule (B.) to this Act annexed, may have ceased to hold any office by virtue of which he or they were a Member or Members, or elected to be Member or Members thereof, and notwithstanding he or they, or such of them as shall be a Member or Members of any such last-mentioned Body Corporate, or Person or Persons elected as aforesaid, would, by going out of office at any time after the day of such dissolution or otherwise, have ceased to be a Member or Members of such other Body Corporate if this Act had not passed: Provided always, That any vacancy which may happen among such Members of another Body Corporate before any other provisions shall be made by Parliament shall be supplied in manner hereinafter mentioned; (that is to say), where such other Body Corporate shall have been constituted for any charitable purpose, or for supplying water or gas, or any other purpose producing profits, which or part of which are divided between shareholders or proprietors, or other persons, for their own benefit, by an order of the Lord Chancellor of Ireland or Lords Commissioners for the custody of the Great Seal for the time being, to be made upon petition in a summary way, and where such other Body Corporate shall have been constituted for any public or other purpose, and is not required to divide any profits among
any*

any shareholders or proprietors or other persons for their own benefit, by the Commissioners to be appointed by virtue of this Act; and upon every such vacancy the said Lord Chancellor or Lords Commissioners for the custody of the Great Seal, or the Commissioners to be appointed by virtue of this Act (as the case may be), shall appoint a fit person to be a member of such other Body Corporate to supply such vacancy.

And be it Enacted, That in every case in which a Body Corporate named in the said Schedule (B.) which shall be dissolved by virtue of this Act, or any particular class, number or description of Members, or the governing Body of any Body Corporate, now is or are, in their Corporate capacity, and not as Charitable Trustees, according to the meaning and provisions of this Act, seised or possessed of any manors, lands, tenements, or hereditaments whereunto any advowson or right of nomination or presentation to any benefice or ecclesiastical preferment is appendant or appurtenant, or of any advowson in gross, or hath or have any right or title to nominate or present to any benefice or ecclesiastical preferment, and the same would, if such Body Corporate had been named in Schedule (A.) to this Act annexed, have been sold and conveyed by such Body Corporate according to the provisions hereinbefore contained, the same shall be sold in like manner, at such time, and in such manner as the Ecclesiastical Commissioners for Ireland may direct, so that the best price may be obtained for the same; and it shall be lawful for the Commissioners of such Borough, and they are hereby authorized and required, with the consent of the said Ecclesiastical Commissioners or any Three or more of them, in writing under their hands, to convey and assure the same in like manner as a Body Corporate of any Borough named in the said Schedule (A.) is hereinbefore authorized and required to convey and assure, under the common seal of such Body Corporate, in a similar case, any such advowson or such right of nomination or presentation as aforesaid; and every such conveyance and assurance made by the said Commissioners shall have the same force and effect as a conveyance under the Common Seal of any Body Corporate named in the said Schedule (A.) would have had by virtue of the provisions hereinbefore contained, or otherwise, if such advowson or such right of nomination or presentation had been the property of such Body Corporate; and the proceeds of every such sale shall be paid to the Treasurer of the Commissioners of the Borough, whose receipt shall be a sufficient and effectual discharge to the purchaser or purchasers to whom the same shall be given for the amount of his or their purchase money: Provided always, That in any case of vacancy arising before any such sale shall have taken place and been completed, such vacancy shall be supplied by the presentation or nomination of the Bishop or ordinary of the diocese in which such benefice or Ecclesiastical preferment is situated.

198.

CLAUSE (K. 2.)
Sale of Advowsons, &c.

199.

CLAUSE (L. 2.)
Com-
mis-
sioners to
ascertain and
collect the
property and
revenues of
Corporations.

And be it further Enacted, That the said Commissioners of every Borough shall with all convenient speed ascertain and collect all the real and personal property belonging to the Body Corporate named in the said Schedule (B.) to this Act annexed in connexion with such Borough, and which shall become vested in such Commissioners by virtue of this Act, and shall ascertain the revenue and income produced thereby, and all the charges and incumbrances upon and the outgoings and debts payable in respect of the same.

200.

CLAUSE (M. 2.)
Com-
mis-
sioners em-
powered to
bring and
defend
Actions, and
compromise
and settle
Accounts.

And be it further Enacted, That it shall be lawful for the said Commissioners in any Borough to commence and prosecute any actions, suits or proceedings for collecting and recovering the property of the Body Corporate named in the said Schedule (B.) to this Act annexed in connexion with such Body respectively, and to discontinue or compromise any such action, suit or proceedings, and to allow any time which they may think proper for payment of any money due and owing to them in respect thereof, and also to pay any debt or sum of money claimed to be due from any such Body Corporate and to be payable out of such property, upon any evidence which they may think proper to admit, and to defend or compromise any action, suit or other proceeding which may be brought against them by virtue of this Act, and to adjust and settle any account or accounts depending between such Body Corporate and any person or persons or other Body Corporate or Bodies Corporate, and submit to arbitration any difference between such Body Corporate or the said Commissioners, and any other person or persons relating to the property of such Body Corporate, and abide by and perform the award of any arbitrator or arbitrators respecting the same, and to do, perform and execute all such deeds and things as they, the said Commissioners respectively, shall think expedient for ascertaining and collecting in the most advantageous manner the property vested in them by virtue of this Act, and settling all claims and demands relating thereto.

201.

CLAUSE (N. 2.)
Com-
mis-
sioners to
keep an ac-
count of the
property of
the Corpora-
tion, which
shall be
called the
Town Fund
of the Town.

And be it further Enacted, That the said Commissioners of every Borough shall cause an account to be kept of the property belonging to the Body Corporate named in the said Schedule (B.) to this Act annexed in conjunction with such Borough, and vested in such Commissioners by virtue of this Act, and of all rents, profits, revenue, income and sums of money to be received in respect thereof or produced therefrom, and of the application and appropriation thereof; and the property comprised in every such account shall be called the Town Fund of the Borough for which such Commissioners respectively shall have been chosen; and all sums of money received by the Treasurer of such Commissioners in respect of the property comprised in every such account shall, when the same shall not be directed by the said Commissioners to be immediately applied to any other purpose, be paid into the Bank of Ireland in the

name

name of the Treasurer of such Commissioners to an account called the Account of the Town Fund of the Borough of which the same shall form part.

And be it further Enacted, That the said Commissioners of every Borough shall, with all convenient speed, pay or make due provision for payment out of the Town Fund of such Borough of the outgoings, rates and charges payable in respect of the property therein comprised, and of all charges and incumbrances payable thereout, and of all debts, annuities, pensions, allowances and sums of money payable by the Body Corporate to whom the property comprised in such Town Fund shall have belonged.

202.
CLAUSE (O. 2.)
Commissioners to pay debts due from Corporations.

And be it further Enacted, That it shall be lawful for the said Commissioners of every Borough, from time to time, to demise or lease any such manors, messuages, lands or hereditaments vested in them by virtue of this Act, or any part or parts thereof, from year to year, or for any term or number of years, either with or without taking any fine or premium for the same, and on such other terms as such Commissioners shall think expedient, and also to cause any repairs to be made to any buildings or premises which they may think expedient, and to insure any buildings from loss or damage by fire, and pay the expenses of such repairs and insurances out of the said Town Fund, and also cause to be invested in their names, or in the name of their Treasurer any monies forming part of any such Town Fund, in any stocks, funds or securities, and alter and vary such stocks, funds and securities as they shall think proper, and in all other respects manage the property comprised in every or any such Town Fund, and invest or dispose of the same and all revenues thereof in such manner as they shall think most advantageous.

203.
CLAUSE (P. 2.)
Commissioners may lease and manage Revenues.

And be it further Enacted, That in the meantime, and until Parliament shall otherwise provide, the said Commissioners to be elected in any Borough in pursuance of this Act shall, subject to the payment of any debt payable out of any Town Fund, or such part thereof as such Commissioners shall, from time to time, be required or deem it expedient to pay, and the interest thereof, or so much thereof as shall, for the time being, remain unpaid, and all other charges and expenses to be paid thereout, as hereinbefore is mentioned, pay the surplus income or revenue of any such Town Fund to the Commissioners appointed in such Towns respectively by virtue of the said Act of the ninth year of the reign of his said late Majesty, in aid or diminution of the rates to be received by them, or to any local Board or Boards of Commissioners or Trustees in such Town appointed or to be appointed under any local Act or Acts of Parliament, in such manner and in such proportions as the said Commissioners to be appointed by virtue of this Act, with the consent of the Lord Lieutenant, shall think proper; and in case the surplus income of the Town Fund of any Town shall be more than sufficient for

204.
CLAUSE (Q. 2.)
Expenses to be paid out of such fund, and residue to local Commissioners.

the purposes aforesaid, the residue thereof, or in cases where there shall be no such Commissioners or such Board as aforesaid, the whole of such surplus income and revenue, shall be applied by the said Commissioners, under the direction of the Lord Lieutenant, for the public benefit of the inhabitants of such Town respectively.

205.

CLAUSE (R. 2.)
Commission-
ers to make
reports to the
Lord Lieu-
tenant.

And be it further Enacted, That the said Commissioners of every Borough shall, with all convenient speed, and within Two Years next after the passing of this Act, make a report or reports in writing to the said Lord Lieutenant, and thereby state the nature and amount of the property belonging to the Body Corporate named in the said Schedule (B.) to this Act annexed in connexion with such Borough, and which shall become vested in such Commissioners respectively by virtue of this Act, and from the Town Fund of such Borough respectively, and also the particulars and amount of the incumbrances and debts and outgoings charged upon and payable out of the same, and the means whereby such incumbrances and debts can be paid or satisfied in the most advantageous manner, and also any leases which they shall have made or shall think proper to make of any part of any such Town Fund, and the manner in which any monies produced therefrom or received from the revenue or income thereof shall have been or shall be proposed to be expended or applied, and also the probable amount of the value of such Town Funds respectively, and of the income thereof, after all the incumbrances and debts payable thereout shall have been discharged or satisfied.

206.

CLAUSE (S. 2.)
Commis-
sioners may
purchase
outstanding
Charges,
Leases, &c.

Commis-
sioners may
abolish Tolls.

And be it further Enacted, That the said Commissioners of any Borough, with the consent of the said Lord Lieutenant (testified by some writing under his hand), shall out of the monies forming part of the Town Fund of such Borough, purchase such annuities, leases or other interests charged upon or existing in any property forming part of such Town Fund as they shall think it advantageous to purchase; and that the said Commissioners shall and they are hereby empowered, with the consent of the Lord Lieutenant, to be signified by some writing under his hand, to abolish any tolls forming part of the Town Fund of such Borough, after full payment or satisfaction of all debts and charges upon the said tolls, or to which they may be liable, which it may be thought desirable to abolish, and also to purchase any tolls which it may be thought desirable to purchase, in order that the same may be abolished, and after the conveyance thereof to them to abolish the same; and the said Commissioners shall cause notice to be given of the abolition of all such tolls as shall be abolished as aforesaid, by advertisement in the Dublin Gazette, and also in one or more newspaper or newspapers usually circulated in the town in which such tolls respectively shall be payable.

Ana

And be it further Enacted, That it shall be lawful for the said Commissioners of any Borough, with the consent of the said Lord Lieutenant (testified by some writing under his hand), to appropriate and settle any Town Hall, Police Office, or other public building in any Town forming part of the Town Fund of such borough respectively, for the purposes of a Court for the holding of Quarter Sessions, or a Court of Record for Civil Actions, or a Court of Conscience, or Police Station, and for that purpose to convey the same to any Commissioners or Trustees upon such trusts, with such powers of appointing new Trustees, and other powers, and in such manner as the said Commissioners shall think proper.

207.

CLAUSE (T. 2.)
Com-
mis-
sioners may
appropriate
public Build-
ings to pub-
lic purposes
for the bene-
fit of the
Towns.

208.

CLAUSE (U. 2.)
Com-
mis-
sioners may
remove
Officers.

And be it Enacted, That it shall be lawful for the said Commissioners of any Borough, with the consent of the Lord Lieutenant, to remove from the performance of the duties which, notwithstanding his office shall have ceased, he shall continue to perform in pursuance of this Act, every person who shall on the day preceding the day of the dissolution of the Body Corporate therein be a Town Clerk, Bailiff, Treasurer or Chamberlain, or other ministerial or executive officer of such Borough, or of the Body Corporate named in the said Schedule (B.) to this Act annexed, in connexion with such Borough; and every such person or officer who shall be in possession or receipt of any monies, goods, valuable securities, books or papers belonging to or concerning the Body Corporate whose officer he is, shall deliver up and account for the same to such Commissioners; and in case he shall refuse or wilfully neglect to deliver such accounts, vouchers and lists, or to make such payments, or to deliver such books, papers and writings, or to give satisfaction respecting the same as is hereinbefore provided in the case of officers appointed by such Commissioners, every such person or officer may be proceeded against, and shall be subject and liable to the several provisions hereinbefore contained in cases of officers appointed by such Commissioners.

209.

CLAUSE (W 2.)
Officers to
receive Com-
pensation on
removal.

And be it Enacted, That the said Commissioners of every Borough shall take into consideration and determine upon the amount and nature of compensation which they shall think ought to be given to any Member of any Body Corporate or officer or person whose office shall be abolished, or who shall be removed from his office or deprived of fees and emoluments to which he would have been entitled if this Act had not been passed; and in case and as soon as they shall have determined upon the amount or nature of the compensation to be given in any such case, they shall cause notice in writing to be given to such officer or person; and in case the claim of such officer or person shall be admitted in part and disallowed in part, such notice shall specify the particulars in which the same shall have been admitted and disallowed respectively; and in case the officer or person preferring such claim shall think himself aggrieved by the determination of the Commissioners thereon, it shall

be lawful for the officer or person preferring such claim to appeal to the Lords Commissioners of Her Majesty's Treasury, who shall thereupon make such order as to them shall seem just, and such order, signed by Three or more of such Lords Commissioners, shall be binding on all parties : Provided also, That the officer or person preferring such claim, if any Commissioners shall so require, upon receiving notice in writing, shall from time to time attend at any meeting or adjourned meeting of the Commissioners for the investigation of such claim, and then and there upon his oath or solemn affirmation, or his declaration to be taken or made before the said Commissioners (any one of whom is hereby authorized to administer the same), shall answer all such questions as shall be asked by any Commissioners touching the matters set forth in the statement subscribed by such person as aforesaid, and produce all books, papers and writings in his possession, custody or power relating thereto : Provided also, That every such officer or person who shall be continued in or re-appointed to such office under the provisions of this Act, and who shall be subsequently removed from such office for any cause other than such misconduct as would warrant removal from any office held during good behaviour, shall be entitled to compensation in like manner as if he had been forthwith removed under the provisions of this Act, and had not been continued in or re-appointed to such office.

210.

CLAUSE (X. 2.)
Compensation
to be secured
by Certificate.

And be it Enacted, That the amount of the sum or annuity payable to any person as such compensation as aforesaid, if not forthwith paid shall be secured to such person by a certificate or certificates in writing under the seal of the Commissioners of the Borough out of the town fund of which the same shall be payable, stating that the town fund of the town in which such person shall be or have been in office is liable to the payment to such person, his executors or administrators or assigns, of the amount of such sum, with interest and all arrears (if any) accrued due before the date of such certificate respectively ; and every such certificate shall be prepared and executed at the expense of such town fund respectively, and delivered to the person entitled to such compensation, as soon as conveniently may be after the amount thereof shall have been determined as aforesaid by the said Commissioners, or shall have been determined in the event of such appeal as aforesaid, by order of the said Lords Commissioners.

211.

CLAUSE (Y. 2.)
Certificates
to be given
to Persons
entitled to
Pensions, &c.

And be it Enacted, That when any person shall be entitled to any pension, allowance, stipend or sum of money payable out of the town fund of any Borough which shall be sufficient for payment thereof, the said Commissioners of such Borough shall give a certificate under their common seal to such person that such town fund is liable to the payment to such person, his executors and administrators, of such pension, allowance stipend, or sum of money, with all arrears thereof, if any, accrued due before the date of such certificate, and such certificate shall be prepared and executed at the expense of the town fund.

And

And be it further Enacted, That the Commissioners to be appointed in every Borough in pursuance of this Act shall, in the month of January in every year, cause to be made out in writing and to be printed a full abstract of the Accounts relating to the town fund of such Borough for the year; and a copy thereof shall be deposited with such person resident in such town as the Commissioners shall appoint, and shall be open to the inspection of all the inhabitants of such town and copies thereof shall be delivered to all inhabitants of such town applying for the same, on payment of One shilling for each copy.

212
CLAUSE (Z. 2.)
Accounts of
Receipts and
Disburse-
ments to be
published.

And be it further Enacted, That the Commissioners to be elected in any Borough in pursuance of this Act shall cause all their proceedings to be entered in writing in a book or books, which shall be submitted to the Lord Lieutenant as often as he shall require the same.

213.
CLAUSE (A. 3.)
Proceedings
of Commis-
sioners to be
recorded and
submitted to
Lord Lieu-
tenant.

And be it further Enacted, That the said Commissioners to be elected in any Borough in pursuance of this Act shall from time to time, at such time as the said Lord Lieutenant shall direct, give to the said Lord Lieutenant requiring the same such information respecting their proceedings or any part thereof as the said Lord Lieutenant shall require.

214.
CLAUSE (B. 3.)
Commission-
ers to report
Proceedings
to Lord Lieu-
tenant when
required.

And be it Enacted, That the said Commissioners to be elected in any Borough in pursuance of this Act shall, before the first day of March in each year, transmit to the Lord Lieutenant a general report of their proceedings within the year preceding, which Report shall be prepared in such form and manner as the Lord Lieutenant shall direct; and such Report shall refer to the year ended upon the first of January of the year in which such Report is hereby required to be so transmitted, and such Report, or an abstract thereof, shall be laid before both Houses of Parliament during their sitting in the same year in which the Report shall be transmitted as aforesaid,

215.
CLAUSE (C. 3.)
Commission-
ers to make a
general report
to Lord Lieu-
tenant to be
laid before
Parliament.

And be it further Enacted, That the powers and duties of the Commissioners to be elected in any Borough under this Act shall cease, in case and so soon as the Town Fund of such Borough shall have been applied according to the directions hereinbefore contained and shall be entirely exhausted.

216.
CLAUSE (D. 3.)
Powers of
Commis-
sioners to
cease when
the Town
Fund is
exhausted.

And be it further Enacted, That in every Borough named in the said Schedule (B.) from which no petition for a Charter of Incorporation, signed as aforesaid, shall be presented to Her Majesty on or before the day to be named by the said Lord Lieutenant as hereinbefore is mentioned, and also in every Borough named in the said Schedule (B.) to which no Charter of Incorporation, in pursuance of any petition signed as aforesaid, shall be granted within Twelve calendar Months

217.
CLAUSE (E. 3.)
Where no
Commission-
ers are ap-
pointed the
governing
officers of
the Corpo-
ration to
apply the
funds (if
any) for the
benefit of
the Town.

next after the day to be named by the said Lord Lieutenant as aforesaid, and in which Borough no Board of Commissioners shall be constituted, by reason of the Body Corporate in such Borough not being seised or possessed of, or entitled to any property consisting of any real estate, or of or to any personal estate exceeding in annual amount or value the sum of One hundred Pounds, the Mayor, Aldermen and Common Council, or other governing officers of such Body Corporate, should pay or transfer the personal estate, if any, of or to which such Body Corporate shall be possessed or entitled to the Commissioners appointed in such town respectively by virtue of the said Act of the Ninth year of the reign of King George the Fourth, in aid or diminution of the rates to be received by them, or to any local Board or Boards of Commissioners or Trustees in such town appointed or to be appointed under any Local Act or Acts of Parliament in such manner and in such proportion as the said Mayor, Aldermen and Common Council or governing Officers shall think proper; and in case there shall be no such Commissioners or such Board as aforesaid, the whole of such surplus income and revenue shall be applied by the said Mayor, Aldermen and Common Council or other governing Officers, under the direction of the Lord Lieutenant, for the public benefit of the inhabitants of such town respectively.

218.

CLAUSE (F. 3.)
 Sheriff of
 Carrickfer-
 gus to con-
 tinue until
 new Sheriff
 is appointed.

And be it further Enacted, That in case a Charter of Incorporation shall not be granted upon such petition as aforesaid to the town of Carrickfergus, then from and after the dissolution of the Body Corporate named in the said Schedule (B.) to this Act annexed in connexion with such town, if a Sheriff of the said town shall not then have been appointed as hereinbefore is mentioned, the person who shall on the day preceding such dissolution fill the office of Sheriff of the said town, shall be and remain such Sheriff, and fulfil and execute the duties of the said office, until the Sheriff of the said town, to be appointed as hereinbefore is mentioned, shall come into office, and no longer.

219.

CLAUSE (G. 3.)
 Provisions
 relating to
 separate
 Commis-
 sions,
 Courts of
 Record,
 and Record-
 ers of Coun-
 ties of Towns
 in Schedule
 (A.) to ex-
 tend to Car-
 rickfergus
 (except that
 the Recorder
 shall be
 entitled only
 to Fees).

And be it further Enacted, That all the powers, authorities, directions, provisions, regulations, clauses, matters and things hereinbefore contained, with respect to the assignment to so many persons as Her Majesty shall think proper to act as Justices of the Peace in and for each of the Boroughs, being counties of towns respectively, named in the said Schedule (A.), to which Her Majesty may be pleased to grant a Commission of Peace, and to the Clerk of such Justices, and to the grant of a separate Court of Quarter Sessions of the Peace, or a Court of Record for the Trial of Civil Actions, in and for such Borough, and the proceedings therein, and to a Recorder of such Borough, and the Clerk of the Crown or Clerk of the Peace therein, shall extend and be applied to the said town of Carrickfergus in the same manner as if such town had been named in Schedule (A.) to this Act annexed, except that no salary

or emolument (other than fees) shall be paid to the Recorder of the said town of Carrickfergus, and that Her Majesty may grant that a Court of Quarter Sessions of the Peace and a Court of Record for the Trial of Civil Actions, or either of them, shall be holden in and for such town without any petition for that purpose having been made to the Lord Lieutenant and Privy Council in Ireland; and that in the absence of the Recorder and Deputy Recorder the Clerk of the Peace or other person discharging the duties of that office, and the Registrar of the Court of Record, instead of the Mayor, shall and they are hereby respectively authorized to open and adjourn over the said respective Courts, and to respite recognizances conditioned for appearing at the same.

AND whereas in several of the Boroughs named in the said Schedule (B.) there are Courts of Record for the Trial of Civil Actions, and such Courts, when well regulated, have been found useful to the inhabitants of the said towns; BE it Enacted, That from and after the passing of this Act all the powers, authorities, usages and jurisdiction of any existing Court of Record in every town named in the said Schedule (B.) to this Act annexed in which the Body Corporate named in connexion with the said Borough in the said Schedule shall be dissolved by virtue of this Act, whether the same shall have been established by usage, statute or otherwise, shall continue in the same manner as if this Act had not passed, until the Lord Lieutenant shall think proper to determine the same; and at any time it shall be lawful for the Lord Lieutenant, by an order under his hand, to declare that any such Court shall be discontinued at a time to be mentioned in such order, and to be not less than Two calendar Months after the date of such order; and every such order shall be advertised in the Dublin Gazette; and at the time appointed for that purpose in such order, such Court of Record, and all powers, authorities and jurisdictions thereof, shall wholly cease and determine, save only as to the execution of any decrees or orders of the said Court theretofore lawfully made; and the present Judge and other Officers of the said Court shall, during the continuance thereof, remain in their respective offices notwithstanding he, they or any of them may have ceased to hold any office by virtue of which he or they shall be such Judge or Officer or Officers; and upon any future vacancy in the office of Judge of any such Court, the Lord Lieutenant shall appoint a fit person, being a Barrister of not less than Six Years' standing, to be Judge of such Court during the continuance thereof and his good behaviour, and upon any vacancy in any other office belonging to such Court the Judge of the Court shall appoint a fit person to supply such vacancy.

220.
 CLAUSE (H. 3.)
 Existing
 Courts of
 Record to be
 continued
 until deter-
 mined by the
 Lord Lieu-
 tenant.

221.

CLAUSe (I. 3.)
Court of Con-
science.

AND whereas in several of the Boroughs in Ireland named in the said Schedule (B.) there have been Courts for the Recovery of Small Debts in a summary way, commonly called Courts of Conscience, and such Courts when well regulated have been found useful to the poorer inhabitants of the said Boroughs, and it is expedient to make new and further provisions for the establishment and regulation of such Courts in certain cases; *BE* it Enacted, That from and after the passing of this Act all the powers, authorities and jurisdictions of any existing Court for the Recovery of Small Debts, commonly called the Court of Conscience, in every Borough named in the said Schedule (B.) to this Act annexed, in which the Body Corporate named in connexion with such Borough in the said Schedule shall be dissolved by virtue of this Act, whether the same shall have been established by usage, statute or otherwise, shall continue in the same manner as if this Act had not passed, until the Lord Lieutenant shall think proper to determine the same; and at any time it shall be lawful for the Lord Lieutenant, by an order under his hand, to declare that any such Court shall be discontinued at a time to be mentioned in such order, and to be not less than Two calendar Months after the date of such order; and every such order shall be advertised in the Dublin Gazette; and at the time appointed for that purpose in such order such Court of Conscience, and all powers, authorities and jurisdictions thereof shall wholly cease and determine, save only as to the execution of any decrees or orders of the said Court theretofore lawfully made.

222.

CLAUSe (K. 3.)
Lord Lieu-
tenant, with
Consent of
Privy Coun-
cil, may
appoint a
Court of Con-
science under
the regula-
tions of the
Act in the
same or any
other Town.

And be it further Enacted, That in case the Lord Lieutenant, with the advice and consent of Her Majesty's Privy Council in Ireland, shall at any time think it expedient that any Court of Conscience now existing shall be continued, or that a Court of Conscience under such regulations as are herein contained shall be established in any Borough named in the said Schedule (B.) to this Act annexed, in which the Body Corporate named in connexion with such Borough in the said Schedule shall be dissolved by virtue of this Act, where no such Court now exists, then the Lord Lieutenant may appoint a fit person, being a barrister of not less than Six Years' standing, who shall be and shall be called the Judge of the Court of Conscience for such town, and shall hold such office during his good behaviour; and in the event of any vacancy in such office he may appoint a fit person to be such Judge; and from and after the appointment of such Judge in such town a Court shall be holden for the recovery of small debts, to be called the Court of Conscience of such Borough, and the Judge or President of such Court shall have full power and authority to hear and determine in a summary way causes in all small debts between party and party, not exceeding in amount the sum of Forty Shillings, where the cause of action shall have accrued within

within the said Borough, or the defendant shall reside within the same.

And be it Enacted, That any Recorder or Assistant Barrister, whose duties shall not prevent him from performing in addition thereto the duties of a Judge of a Court of Conscience of any Borough named in the said Schedule (B.), and who shall be willing to undertake such office, shall be appointed a Judge of a Court of Conscience under the provisions of this Act.

223.
CLAUSE (L. 3.)
Recorder or Assistant Barrister may be Judge of a Court of Conscience.

And be it further Enacted, That it shall be lawful for the Judge of the Court of Conscience of any Borough named in the said Schedule (B.) to appoint and remove at his pleasure a clerk and other necessary officers of such Court; and where the Recorder shall be the Judge of the Court of Conscience, the Registrar of the Court of Record shall also be the Clerk of the Court of Conscience.

224.
CLAUSE (M. 3.)
Clerks and other Officers of Courts of Conscience to be appointed by the Lord Lieutenant.

And be it further Enacted, That all the powers, authorities, directions, provisions, regulations, clauses, matters, and things hereinbefore contained with respect to the proceedings of Courts of Conscience in the Boroughs named in Schedule (A.) to this Act annexed (except the Power of Appeal to the Recorder of the Borough), shall extend and are hereby extended to the Courts of Conscience to be continued or established by the Lord Lieutenant, with the Advice and Consent of Her Majesty's Privy Council of Ireland as aforesaid.

225.
CLAUSE (N. 3.)
Provisions respecting the Proceedings of Courts of Conscience in the Boroughs in Schedule (A.) to extend to such Courts continued or established by the Lord Lieutenant.

Provided always, and be it Enacted, That in any Borough named in the said Schedule (B.) in which the Body Corporate named in connexion with such Borough in the said Schedule shall be dissolved by virtue of this Act, wherein the Town Clerk is now in right of his office Clerk of the Peace, Registrar of the Court of Record for the Trial of Civil Actions, and Clerk of the Court of Conscience, or in such right holds any of those offices, the person who shall be such Town Clerk on the day preceding such dissolution shall continue to hold the same offices respectively, or such of them as are now held by him, during good behaviour, under the provisions of this Act.

226.
CLAUSE (O. 3.)
Town Clerk to continue Clerk of the Peace, Registrar of Court of Record, and Clerk of Court of Conscience.

And be it further Enacted, That the accounts for the receipt and expenditure of every Corporation, or of such Commissioners as aforesaid, shall, from and after the passing of this Act, be referred by the Secretary of State to the Commissioners appointed or to be appointed for auditing public accounts under an Act passed in the

227.
CLAUSE (P. 3.)
Accounts to be referred to Commissioners of Public Accounts.

25 G. 3. c. 52. *Twenty-fifth Year of the reign of his Majesty King George the Third, intituled, "An Act for the better examining and auditing the public accounts of this Kingdom," also under an Act passed in the Forty-sixth Year of the reign of his said late Majesty King George*

46 G. 3. c. 141. *the Third, intituled, "An Act for making more effectual Provision for the more speedy and regular Examination and Audit of the Public Accounts of this Kingdom," and also under an Act passed in the First and Second Years of the reign of his late Majesty King George the Fourth, intituled, "An Act to alter and abolish certain Forms of Proceedings in the Exchequer and Audit Office relative to Public Accountants, and for making further Provisions for the purpose of facilitating and expediting the passing of Public Accounts in Great Britain; and to render perpetual and amend an Act passed in the Fifty-fourth Year of his late Majesty, for the effectual examination of the Accounts of certain Colonial Revenues," and all the powers and provisions now in force of the same Acts shall extend and be applicable to the examination, audit, and discharge of the accounts of the said Boroughs by the said Commissioners as far as their powers and provisions are applicable thereto.*

228.

CLAUSE (Q. 3.)
Treasury empowered to make new arrangements and regulations for auditing Public Accounts.

And be it further Enacted, That it shall be lawful for the Commissioners of her Majesty's Treasury for the time being, or any Three or more of them, from time to time, by warrant under their hands, to direct such new arrangements in the office of the said Commissioners for auditing public accounts, and to assign to the Commissioners individually or collectively the exercise of such duties, and to make such orders and regulations in respect to the conduct of the business of the office, as the said Commissioners of Her Majesty's Treasury shall deem expedient and best calculated to insure the most prompt and speedy examination and audit of the accounts of the receipt and expenditure of the said Boroughs.

229.

CLAUSE (R. 3.)
Sheriff to be the Returning Officer under the Reform Act.

And be it further Enacted, That after any Borough named in the said Schedule (B.) to this Act annexed shall be dissolved by virtue of this Act, the Sheriff of the County or his Deputy shall be the Returning Officer at all Elections (if any) of a Member or Members of Parliament for such Borough.

230.

Saving the rights of the Governor and Assistants of London of New Plantation in Ulster, and of Lords of Manors.

And be it Enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter or take away any of the rights, privileges, powers or authorities vested in or enjoyed by, or duties or liabilities imposed upon, the Society of the Governor and Assistants

ants of London of the New Plantation in Ulster within the realm of Ireland, under or by virtue of any charter or charters heretofore granted to them by the Crown, *or any Lord of any Manor, or any person or persons other than the member or members of a Body Corporate in his or their corporate capacity, or a person or persons elected or appointed by any such Body Corporate, or some member or members thereof.*

And be it Enacted, That in the construction of this Act the word "Borough" shall be construed to mean City, Borough or Town Corporate ⁽¹⁾ and the words "Body Corporate" shall be construed to ⁽²⁾ include all guilds and fraternities of, within, or connected with such ⁽³⁾ *Body Corporate* ⁽⁴⁾; and the word "Burgess" shall be construed to mean Citizen, in the case of a City; and the word "County" shall be construed to mean County or Riding; and the word "Trustees" shall be construed to mean Trustees, Commissioners or Directors, or the persons charged with the execution of a trust or public duty, by whatever name they are designated; and the word "Parish" shall be construed to extend to any extra-parochial precinct or place as well as a parish; and the words "Lord-Lieutenant" shall be construed to mean the Lord Lieutenant, Lords Justices, or other Chief Governor or Governors of Ireland; and that in all things hereinafter provided to be done, until the first election of Councillors in any Borough under this Act shall have been declared, the word "Mayor" shall be construed to mean the chief Officer of a Borough, by whatever name he is now called, or when there may be no such chief Officer, the Returning Officer at elections of Members to serve in Parliament for such Borough, or when there may be neither any such chief Officer or Returning Officer, then such person as the Lord Lieutenant for the time being shall by writing under his hand appoint to perform the duty of Mayor under the provisions herein contained; and in describing any person or thing any word importing the singular number shall be construed to mean also several persons or things respectively, unless there be something in the subject or context repugnant to such construction; and that no misnomer or inaccurate description

of

231.
Interpreta-
tion Clause.

⁽¹⁾ named in one of the said Schedules (A.) or (B.);

⁽²⁾ mean Body Corporate named in one of the said Schedules (A.) or (B.) and to.

⁽³⁾ bodies

⁽⁴⁾ respectively.

of any person, Body Corporate, or place named in any Schedule to this Act annexed, or in any Burgess Roll, *Burgess List*, Ward List notice, or Voting Paper required by this Act, shall hinder the full operation of this Act with respect to such person or place, provided that such person or place shall be so named as to be commonly understood; and in all cases where an oath or affidavit is required under this Act, the affirmation or declaration of a Quaker, Moravian, or Separatist shall be accepted in lieu of such oath or affidavit.

232.
Act may be
altered this
Session.

And be it Enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

SCHEDULES

TO WHICH THIS ACT REFERS.

The Schedules added by The Lords are indicated thus, (*Added by The Lords*);—and the Schedules struck out by The Lords are placed at the end, and thus described (*Struck out by The Lords*).—Variations made by The Lords in Schedules (A.) and (D.) are thus shown: the words struck out, and the alteration of the figure in Col. 2. in Schedule (A.) and of the letter in Schedule (D.) are printed in *Italics*, and placed at the bottom of the page, beneath a Black Line.

SCHEDULE (A.)

(1)

BOROUGH.	Wards.	Aldermen.	Councillors.	STYLE OF CORPORATE BODY.
BELFAST - - -	5	10	30	-- The Sovereign, Free Burgesses and Commonalty of the Borough of Belfast.
CLONMEL - - -	(2) 3	6	18	-- The Mayor, Free Burgesses and Commonalty of the Town of Clonmel.
CORK - - -	8	16	48	-- The Mayor, Sheriffs and Commonalty of the City of Cork.
DROGHEDA - -	3	6	18	-- The Mayor, Sheriffs, Burgesses and Commonalty of the County of the Town of Drogheda.
DUBLIN - - -	16	16	48	-- The Right Honourable the Lord Mayor, Sheriffs, Commons and Citizens of the City of Dublin.
201 GALWAY - - -	3	6	18	-- The Mayor, Sheriffs, Free Burgesses and Commonalty of the Town and County of the Town of Galway.
KILKENNY - -	3	6	18	{ The Mayor and Citizens of the City of Kilkenny. -- The Portreeve, Burgesses and Commons of the Borough or Town of Irishtown.
LIMERICK - - -	5	10	30	-- The Mayor, Sheriffs and Citizens of the City of Limerick.
LONDONDERRY -	3	6	18	The Mayor, Commonalty and Citizens of Londonderry.
SLIGO - - -	3	6	18	-- The Provost, Free Burgesses and Commonalty of the Borough of Sligo.
WATERFORD - -	5	10	30	-- The Mayor, Sheriffs and Citizens of County of the City of Waterford in the Kingdom of Ireland.

(1) *Parliamentary Boundaries to be taken.*

(2) 2.

SCHEDULE (B.)—(Added by The Lords.)

BOROUGH.	STYLE OF CORPORATE BODY.
ARDEE - -	The Portreeve, Burgesses and Commons of the Corporation of Atherdee.
ARMAGH - -	-- The Sovereign, Free Burgesses and Commonalty of the Borough of Armagh.
ATHLONE - -	The Sovereign, Bailiffs, Burgesses and Freemen of the Town of Athlone.
ATHY - - -	-- The Sovereign, Bailiffs, Free Burgesses and Commonalty of the Borough of Athy.
BANDON - -	-- The Provost, Free Burgesses and Commonalty of the Borough of Bandon Bridge.
BOYLE - - -	-- The Borough Master, Free Burgesses and Commonalty of the Borough of Boyle.
CALLAN - -	-- The Sovereign, Burgesses and Freemen of Callan.
CARLOW - -	-- The Sovereign, Free Burgesses and Commonalty of the Borough of Catherlagh.
CARRICKFERGUS -	-- The Mayor, Sheriff, Burgesses and Commonalty of the Town of Carrickfergus.
CASHEL - - -	-- The Mayor, Aldermen, Bailiffs, Citizens and Commons of the City of Cashel.
CHARLEVILLE -	The Sovereign, Bailiffs and Burgesses of the Borough of Charleville.
CLOGHNAKILTY -	-- The Sovereign, Free Burgesses and Commonalty of the Borough of Cloghnakilty.
COLERAINE - -	The Mayor, Aldermen and Burgesses of the Town of Coleraine.
DINGLE - - -	-- The Sovereign, Burgesses and Commonalty of the Town of Dingle-i-couch.
DUNDALK - - -	The Bailiff, Burgesses and Commonalty of the Borough of Dundalk.
DUNGANNON - -	-- The Provost, Free Burgesses and Commons of the Borough of Dungannon.
ENNIS - - -	The Provost, Free Burgesses and Commonalty of the Town of Ennis.
ENNISCORTHY -	-- The Portreeve, Free Burgesses and Commonalty of the Borough of Enniscorthy.
ENNISKILLEN -	-- The Portreeve, Free Burgesses and Commonalty of the Borough of Enniskillen.
FETHARD - - -	-- The Sovereign, Chief Burgesses, Portreeve and Freemen of the Town of Fethard.
GOREY - - -	-- The Sovereign, Burgesses and Free Commons of the Borough and Town of Newborough.
KELLS - - -	-- The Sovereign, Provosts, Burgesses and Commonalty of the Borough of Kells.
KINSALE - - -	The Sovereign, Burgesses and Commonalty of the Town of Kinsale.
LONGFORD - -	The Sovereign, Bailiffs and Burgesses of the Borough of Longford.
MARYBOROUGH -	The Burgomaster, Bailiffs, Burgesses and Commonalty of Maryborough.
MONAGHAN - -	-- The Provost, Free Burgesses and Commonalty of the Borough of Monaghan.
NAAS - - -	The Sovereign, Provost, Burgesses and Commonalty of Naas.
NAVAN - - -	-- The Portreeve, Burgesses and Freemen of the Town or Borough of Navan.
NEW ROSS - -	The Sovereign and Burgesses of New Ross.
PORTARLINGTON -	-- The Sovereign, Bailiffs and Burgesses of the Borough and Town of Portarlington.
STRABANE - -	The Provost, Free Burgesses and Commonalty of the Town of Strabane.
TRALEE - - -	The Provost, Free Burgesses and Commonalty of the Borough of Tralee.
TRIM - - -	The Portreeve, Burgesses and Freemen of Trim.
TUAM - - -	-- The Sovereign, Free Burgesses and Commonalty of the Borough of Tuam.
WEXFORD - - -	-- The Mayor, Bailiffs, Free Burgesses and Commonalty of the Town or Borough of Wexford.
YOUGHAL - -	-- The Mayor, Bailiffs, Burgesses and Commonalty of the Town of Youghal.

SCHEDULE (C.)—(Added by The Lords.)

1.—BELFAST.

GENERAL BOUNDARY.

FROM the Point at which the River Blackstaff meets the Watercourse which flows along the Street called Donegal Pass, along the said Watercourse, to the Point at which Donegal Pass crosses the Aqueduct which supplies the Town; thence, Southward, along the Aqueduct to the Point at which the same joins the Stream by which it is fed; thence, Westward, along the said Stream to the Point at which the same meets Blackstaff Lane; thence along the South Side of Blackstaff Lane to the centre of the Brick Building of the Reservoir or Fountain; thence in a straight Line to a circular Building at a Spring Head or Well called Tea Lane Fountain; thence in a straight Line to another circular bricked Fountain or Well in the Grounds near the Flax Mill belonging to Messrs. Murphy and Company; thence in a straight Line to the South-eastern Angle of the Boundary of the Townland of Edenderry; thence, Northward, along the said Townland Boundary to the Point at which the same meets a Stream; thence, Westward, along the said Stream to the Point at which the same meets the Western Wall of Mr. Francis M'Cracken's Rope-walk; thence, Northward, along the Wall of the said Rope-walk to the Point at which the same meets the Shank Hill Road; thence in a straight Line to the Southernmost Point at which the Boundary of the new Burying Ground meets the Antrim Road; thence, Northward, along the Antrim Road to the Point at which the same meets the Road leading from the Antrim Road to the old Road from Belfast to Carrickfergus; thence along the said Road leading to the old Road to Carrickfergus to the Point at which the same meets the old Road from Belfast to Carrickfergus; thence, Northward, along the old Road from Belfast to Carrickfergus to the Point at which the same meets the Mill Water; thence, Eastward, along the Mill Water to the Point at which the same meets the Shore of Belfast Lough; thence, Southward, along the Shore of Belfast Lough to the Point at which the same meets the Northern Boundary of the Townland of Ballymacarrett; thence, Eastward, along the Boundary of the Townland of Ballymacarrett to the Southernmost Point at which the same meets the River Lagan; thence, Southward, along the River Lagan to the Point at which the same meets the River Blackstaff; thence along the River Blackstaff to the Point first described.

To be divided into Five Wards according to the following Boundaries; and in every of such Wards there shall be Two Aldermen and Six Councillors.

No. 1.—DOCK WARD.

FROM the South-eastern Angle of Donegal Quay, Westward, along Donegal Quay, to the Point at which the same meets Waring Street; thence along Waring Street to the Point at which the same meets Mary Street; thence, Northward, along Mary Street to the Point at which the same meets Gordon Street; thence, Eastward, along Gordon Street to the Point at which the same meets James Street; thence along James Street to the Point at which the same meets Great Patrick Street; thence, Westward, along Great Patrick Street to the Point at which the same meets Frederick Street; thence along Frederick Street to the Point at which the same meets North Queen Street; thence, Northward, along North Queen Street to the Point at which the same meets the Boundary of the Borough; thence, Northward, along the Boundary of the Borough to the Point first described.

No. 2.—ST. ANN'S WARD.

FROM the Point at which Waring Street meets Mary Street, Northward, along Mary Street, to the Point at which the same meets Gordon Street; thence, Eastward, along Gordon Street, to the Point at which the same meets James's Street; thence along James's Street to the Point

BELFAST.

Point at which the same meets Great Patrick Street; thence, Westward, along Great Patrick Street to the Point at which the same meets Frederick Street; thence along Frederick Street to the Point at which the same meets North Queen Street; thence, Northward, along North Queen Street to the Point at which the same meets the Boundary of the Borough; thence, Westward, along the Boundary of the Borough to the Point at which the same meets the Old Lodge Road; thence, Eastward, along the Old Lodge Road to the Point at which the same meets North Street; thence, Eastward, along North Street to the Point at which the same meets Waring Street; thence along Waring Street to the Point first described.

No. 3.—SMITHFIELD WARD.

FROM the Point at which North Street meets Rosemary Street, along Rosemary Street, to the Point at which the same meets Hercules Place; thence, Southward, along Hercules Place, passing in Front of the Northern Bank, to the Northern End of Donegal Place; thence along Donegal Place to the Point at which the same meets Donegal Square North; thence, Westward, along Donegal Square North to the Point at which the same meets Wellington Place; thence along Wellington Place to the Point at which the same meets College Square East; thence, Northward, along College Square East to the Point at which the same meets College Square North; thence, Westward, along College Square North to the Point at which the same meets Durham Street; thence, Northward, along Durham Street to the Point at which the same meets Pound Street; thence, along, Pound Street to the Point at which the same meets the Boundary of the Borough; thence, Northward, along the Boundary of the Borough to the Point at which the same meets the Old Lodge Road; thence, Eastward, along the Old Lodge Road to the Point at which the same meets North Street; thence, Eastward, along North Street to the Point first described.

No. 4.—ST. GEORGE'S WARD.

FROM the South-eastern Angle of Donegal Quay, Westward, along Donegal Quay, to the Point at which the same meets Waring Street; thence along Waring Street to the Point at which the same meets Rosemary Street; thence along Rosemary Street to the Point at which the same meets Hercules Place; thence, Southward, along Hercules Place, and passing in Front of the Northern Bank, to the Northern End of Donegal Place; thence along Donegal Place to the Point at which the same meets Donegal Square North; thence, Eastward, along Donegal Square North to the Point at which the same meets Chichester Street; thence along Chichester Street to the Point at which the same meets the River Lagan; thence, Southward, along the River Lagan to the new Bridge over the River Lagan; thence, Eastward, along the new Road from Belfast to Bangor to the Point at which the same meets the old Road from Belfast to Bangor; thence, Eastward, along the Bangor Road to the Point at which the same crosses the Boundary of the Borough; thence, Northward, along the Boundary of the Borough to the Point first described.

No. 5.—CROMAC WARD.

FROM the Point at which the Boundary of the Borough crosses Pound Street, Southward, along Pound Street, to the Point at which the same meets Durham Street; thence along Durham Street to the Point at which the same meets College Square North; thence along College Square North to the Point at which the same meets College Square East; thence along College Square East to the Point at which the same meets Wellington Place; thence along Wellington Place to the Point at which the same meets Donegal Square North; thence along Donegal Square North to the Point at which the same meets Chichester Street; thence along Chichester Street to the Point at which the same meets the River Lagan; thence, Southward, along the River Lagan to the new Bridge over the River Lagan; thence, Eastward, along the new Road from Belfast to Bangor to the Point at which the same meets the old Road from Belfast to Bangor; thence, Eastward, along the Bangor Road to the Point at which the same crosses the Boundary of the Borough; thence, Southward, along the Boundary of the Borough to the Point first described.

BELFAST—
(continued.)

2.—CLONMEL.

GENERAL BOUNDARY,

Being the PARLIAMENTARY BOUNDARY.

FROM the Point at which the Western Inclosure Wall of the House of Industry meets the River Suir, along the said Western Wall to the Point at which the same meets Marl Street; thence along St. Stephen's Lane to the Point at which the same meets the old Cahir Road; thence, Eastward, along the old Cahir Road to the Point at which the same is met by a Lane running Northward; thence, Northward, along the said Lane to the Point at which the same is met by the first Bank on the Right; thence, Eastward, along the said Bank to the Point at which the same is met by a Lane coming from the North and turning to the East; thence, Eastward, along the last-mentioned Lane to the Point at which the same meets Heywood Street; thence along a Bank which runs Eastward from a House a little to the South of the Point last described to the Point at which the said Bank meets a small Bye Lane leading to the Cashel Road; thence, Southward, along the said Cashel Road to the Point at which the same is met by the Southern Boundary Wall of the Park or Pleasure Grounds of Mr. David Malcolmson; thence along the said Boundary Wall to the Point where the said Wall meets Upper Johnson Street; thence, Eastward, along Backbone Lane to the Extremity thereof; thence to a Point in the new Road to Fethard, which Point is Sixty-four Yards to the North of the Spot at which the said Road is crossed by Bonlie Lane; thence, Southward, for Sixty-four Yards to the said Spot where the Fethard Road is crossed by Bonlie Lane; thence, Eastward, along Bonlie Lane for about Six hundred and Forty-four Yards to a Point at which the same is met by a Bank on the right opposite a small House; thence, Southward, along the said Bank for the distance of about Two hundred and nine Yards to the Point where it is met by another Bank running Eastward; thence, Eastward, along the last-mentioned Bank for about Fifty Yards to a Point where the same makes an Angle in turning to the South; thence, Southward, for about Fifty Yards along a Bank which leads to a Bye Road to Powerstown until the said Bank reaches the said Bye Road; thence, Eastward, along the said Bye Road for the Distance of about Two hundred and seventeen Yards to the Spot where it is met by the first Bank on the right; thence in a straight Line to the most Northern Point of a Bank on the Southern Side of the Dublin Road, which Point is distant about Four hundred and Sixty-four Yards from a Stone in Barrack Street which marks the South-eastern Corner of the Ordnance Land; thence along the last-mentioned Bank to the Point at which the same meets the River Suir; thence along the Southernmost Channel of the River Suir as far as Moore's Island; thence along the Channel of the same to the North of Moore's Island to the Point first described.

To be divided into Three Wards, according to the following Boundaries; and in every such Ward there shall be Two Aldermen and Six Councillors.

No. 1.—EAST WARD.

East Ward to be bounded on the North and East by that portion of the North and East exterior Boundary which extends from the Fethard Road to the Waterford Road; on the West by Upper Johnson Street and Johnson Street; and on the South by a Line going Eastward from the South End of Johnson Street, through Main Street, Barrack Street, and the Waterford Road, till it meets the exterior Boundary.

No. 2.—WEST WARD.

West Ward to be bounded on the North and West by that Portion of the North and West exterior Boundary lying between the Fethard Road and Marl Street; on the East by a Line running along Upper Johnson Street and Johnson Street; and on the South by a Line going West from the South End of Johnson Street, along Main Street, Irish Town and Marl Street, till it meets the exterior Boundary at the House of Industry.

No. 3.—

CLONMEL.

No. 3.—SOUTH WARD.

CLONMEL—
(continued.)

South Ward to be bounded on the South by the South exterior Boundary in its whole Length along the River Suir; on the East by that Portion of the Eastern exterior Boundary lying between the River Suir and the Waterford Road; on the West by that Portion of the Western exterior Boundary lying between the River Suir and Marl Street; and on the North by a Line going Eastward, along Marl Street, Irish Town, Main Street, Barrack Street, and the Waterford Road, till it meets the East exterior Boundary.

3.—CORK.

GENERAL BOUNDARY.

CORK.

FROM the Point where Silver Stream Lane meets the Dublin Road, Northward, along the said Lane to the Upper Glanmire Road; thence in a straight Line and North Direction to the Spring and Stream that flows into the Glen River; thence follow the Stream to the River; thence, West, along the River Glen to the Eastern Wall of Callaghan's Distillery; thence, Northward, along the said Wall to Spring Lane; thence, East, along Spring Lane to Ballyvo Road; thence in a straight Line and Westerly Direction to the Junction of the Mallow and old Dublin Roads; thence in a straight Line and Westerly Direction to the Junction of Fairfield Lane and Brocklesbury Street; thence in a straight Line and Southerly Direction to the West End of Water Lane; thence to a Point in Fair Lane, Five hundred Yards to the North of the Junction of the said Lane with Corbett's Lane; thence to a Point on the Granagher Road Four hundred Yards from its Junction with Blarney Road; thence in a straight Line to a Junction of the Lane (near Skilla Lane) leading to the City Gaol with the Blarney Road; thence along the Lane leading to the City Gaol to the South-west Corner of the surrounding Wall of the said Gaol; thence in a straight Line to a Point on the Sunday Well Road Three hundred Yards to the East of Wellington Bridge; thence in a straight Line to a Point on the Mardyke Walk Seven hundred Yards to the East of the Lane leading from Wellington Bridge to the said Mardyke Walk; thence in a straight Line to the Road leading to the County Gaol; thence along the said Road to the North-east Corner of the surrounding Wall of the said County Gaol; thence along the said North-east Wall to the Northern Macroom and Bandon Road; thence in a straight Line to a Point on the Bandon Road One hundred and twenty Yards West of the Junction of the said Road with the Southern Macroom and Bandon Road; thence in a straight Line to a Point on the Kinsale Road Three hundred and seventy Yards from the Junction of Lough Lane with the Bandon Road, and measured along the Middle of Lough Lane and the Kinsale Road; thence in a straight Line to the Junction of Poula Duff Road with Gallows Green; thence in a straight Line and South-east Direction to the Point where the New Burying Ground Lane meets Friars Walk; thence along the New Burying Ground Lane to the Curragh Road; thence in a North-east Direction along the Curragh Road to Evergreen Road; thence in a straight Line and North-east Direction to a Point on the Passage Road where a Lane leads from the said Road to the Junction of the Black Rock Road with Boreen Managh Lane; thence along the said Lane to the Point of Junction of the said Black Rock Road and Boreen Managh Lane; thence, East, along the said Black Rock Road to Lucy Ville Lane; thence in a straight Line to the nearest Point of the surrounding Wall of the City Gas Works; thence along the Eastern Wall of the said Gas Works to the nearest Point of the River; thence, Eastward, along the High-water Mark to the Point nearest the Old Castle; thence across the River to the first-named Point.

To be divided into Eight Wards, according to the following Boundaries; in every of which Wards there shall be Two Aldermen and Six Councillors.

No. 1.—

No. 1.—LEE WARD.

FROM the Point where Fair Lane meets the Borough Boundary proceed, Southward, along Fair Lane, Baily's Lane, Rogerson Lane, Bishop's Lane, Manning's Lane to Dominick Street; Eastward, along Dominick Street to Widderly Lane, along Widderly Lane to the River Lee; Westward, along the River Lee to the Borough Boundary; Northward, along the Borough Boundary to the Point first described.

No. 2.—ST. PATRICK'S WARD.

FROM the point where Fair Lane meets the Borough Boundary proceed, Southward, along Fair Lane, Baily's Lane, Rogerson Lane, Bishop's Lane, Manning's Lane, to Dominick Street; Eastward, along Dominick Street to Widderly Lane, along Widderly Lane to the River Lee, thence along the River Lee to St. Patrick's Bridge; Northward, up Bridge Street, St. Patrick's Hill, Audley Place; Eastward, along the old Road to Youghal to the Point at which it is intersected by the new Road to Ballyhooly; thence along the new Road to Ballyhooly to the Boundary of the Borough; Westward, along the Boundary of the Borough to the first-named Point.

No. 3.—GLANMIRE WARD.

FROM St. Patrick's Bridge, North, up Bridge Street, St. Patrick's Hill, Audley Place; East, along the old Road to Youghal to the Point at which it is intersected by the new Road to Ballyhooly, thence along the new Road to Ballyhooly to the Borough Boundary; East, along the Borough Boundary to the River Lee; thence, West, along the River Lee to the Point first described.

No. 4.—CORN MARKET WARD.

FROM Parliament Bridge, East, along the South Channel of the River Lee to the Borough Boundary; thence, South, along the Borough Boundary to Friar's Walk; North, along Friar's Walk to Cat Lane; West, along Cat Lane, Bluecoat Street, Abbey Street, Travers Street, Drunam Street; East, along Sullivan's Quay to the Point first described.

No. 5.—ST. FIN BARR'S WARD.

FROM the Point where Friar's Walk meets the Borough Boundary, North, along Friar's Walk to Cat Lane; West, along Cat Lane to Bluecoat Street, along Bluecoat Street, across Abbey Street, along Travers Street, Drunam Street, Sullivan's Quay, to Parliament Bridge; West, along the Southern Branch of the River Lee to South Bridge; Northward, up South Main Street to Great George Street; East, along Great George Street to Wandesford Street, along Wandesford Street to Clarke's Bridge; West, along the South Branch of the River Lee to the Borough Boundary; South, along the Borough Boundary to the Point first described.

No. 6.—MANSION HOUSE WARD.

FROM North Bridge proceed, South, along North Main Street to Great George Street, to Wandesford Street, along Wandesford Street to Clarke's Bridge; thence, West, along the South Branch of the River Lee to the Borough Boundary; North, along the Borough Boundary to the North Branch of the River Lee; East, along the North Branch of the River Lee to the Point first described.

No. 7.—EXCHANGE WARD.

FROM North Bridge proceed, South, along North Main Street, along South Main Street, to South Bridge; East, along the South Channel of the River Lee to the Point opposite Queen Street, thence to Queen Street, along Queen Street to South Mall; West, along South Mall to Marlboro' Street, along Marlboro' Street, across St. Patrick's Street, to Academy Street, along Academy Street, Halfmoon Street, to the North Channel; West, along the North Channel to the Point first described.

No. 8.—

CORK—
continued.

No. 8.—CUSTOM HOUSE WARD.

CORK—
continued.

FROM the Point on the South Channel of the River Lee opposite Queen Street, proceed direct to Queen Street; North, along Queen Street to South Mall; West, along South Mall to Marlboro' Street, along Marlboro' Street, across St. Patrick's Street, to Academy Street, along Academy Street, Halfmoon Street, to the North Channel; East, along the North Channel and round the Island; and West, along the South Channel to the Point first described.

4.—DROGHEDA.

GENERAL BOUNDARY.

FROM the Point called Liberty Bridge near Greenhills on the Left Bank of the River Boyne, East of the Town, where a small Stream enters the River in an Easterly direction, up Cord Lane to the South-east Corner of the Burial Ground; thence, Northerly, along the East Boundary Wall of the Burial Ground up the Lane to Scarlet Lane; thence to the North-west Corner of the Gaol Wall; thence in a straight Line to the North-east Corner of Harman's Garden Wall; thence, Southerly, round the Garden Wall to the South-west Corner; thence in a straight Line to the Cross Roads at the Top of Windmill Lane; thence to the North Road to the Point where the Parliamentary Boundary crosses it; thence in a straight Line, keeping the Parliamentary Boundary, to the South-west Corner of Laburnum Nursery, being about Three hundred Yards; thence in a straight Line to the Junction of Mell Lane and Collon Road; thence in a straight Line to Low-water Mark, left Bank of the River; thence, diagonally across the River, down Stream to a Sluice where a small Stream enters the River and the Parliamentary Boundary crosses; thence to the South End of Mr. Ball's House, Ball's Grove; thence to the Junction of a Lane coming from the South with the Road to Navan and the Black Lion near a Stone Quarry, and about Two hundred and fifty Yards South of the River; thence in a straight Line to Levan's Bridge; thence, keeping the Course of the Brook, Westerly, to Cooley Bridge; thence in a straight Line to the South-east Angle of the Boundary Wall of St. Mary's Churchyard, being Part of the old Town Walls; thence in a straight Line to the Dublin Road at the Point of Junction with a Lane running North from Cromwell's Mount; thence in a straight Line to the East End of Mr. Weir's new House on the Road to Morningtown; and thence across the River to the Point first-described.

DROGHEDA.

To be divided into Three Wards, according to the following Boundaries; in every of which Wards there shall be Two Aldermen and Six Councillors.

No. 1.—WEST GATE WARD.

COMMENCING at the Borough Boundary on the North Road, and thence in a South-easterly Direction down the Centre of the North Road to its Intersection with Fair Street; thence, Easterly, down Fair Street to its Intersection with Scholes Lane; thence, Southerly, down Scholes Lane to its Intersection with West Street; thence, Easterly, down West Street to its Intersection with Shop Street; thence, Southerly, down Shop Street, over the Bridge, up the Bull Ring, to its Intersection with Barrack Lane; thence, South-westerly, up Barrack Lane, past the Barracks, to its Intersection with Duleek Street; thence up Duleek Street to the Borough Boundary at Cooley Bridge; thence, Westerly, round the Borough Boundary, across the River, keeping the Boundary, to the Point first named. The whole of the Area within this Line to form West Gate Ward.

No. 2.—FAIR GATE WARD.

COMMENCING at the Borough Boundary on the North Road as before, and coming in a South-easterly Direction down the Centre of the North Road to its Intersection with Fair Street; thence, Easterly,
down

down Fair Street to its Intersection with Scholes Lane; thence, Southerly, down Scholes Lane to its Intersection with West Street; thence, Easterly, down West Street to its Intersection with Peter Street; thence, Northerly, up Peter Street to where it meets the Ends of William Street and Fair Street; thence, Easterly, down William Street to its Intersection with Palace Street; thence, Northerly, up Palace Street to its Intersection with Scarlet Lane; thence, Easterly, down Scarlet Lane to the Borough Boundary; thence, Westerly, round the Borough Boundary to the Point first named on the North Road. The whole of the Area within this Line to form Fair Gate Ward.

DROGHEDA—
continued.

No. 3.—ST. LAWRENCE GATE WARD.

COMMENCING at the West End of St. Lawrence Street, where that Street, Peter Street, West Street, and Shop Street all meet; thence, Northerly, up Peter Street till it meets the Ends of Fair Street and William Street; thence, Easterly, down William Street to its Intersection with Palace Street; thence, Northerly, up Palace Street to its Intersection with Scarlet Lane; thence, Easterly, down Scarlet Lane to the Borough Boundary; thence, Southerly, along the Borough Boundary, crossing the River, and continuing the Boundary, to Cooley Bridge; thence, Northerly, down Duleek Street, keeping the Eastern Boundary of West Gate Ward, to the Intersection of Shop Street, Lawrence Street and Peter Street, being the Point first named. The whole of the Area within this Line to form St. Lawrence Gate Ward.

5.—DUBLIN.

GENERAL BOUNDARY.

FROM the Point of Intersection of Park Gate Street with a Road running Northerly along the Phoenix Park Wall, along the said Phoenix Park Wall until it meets the Circular Road, and Easterly, along the Circular Road to the West End of the Roman Catholic Chapel of Saint Peter; thence, Northerly, in a straight Line to the West End of Mr. Hay's Mill about Three hundred and Sixty Yards to the Westward of Westmoreland Bridge across the Royal Canal; thence in a direct Line across the Royal Canal to its Northern Bank; thence, South-east, along the Northern Bank of the Royal Canal to Jones's Bridge; thence, Northward, along the Road forming the Continuation of Russell Street and Jones's Bridge to its Junction with the Clonliffe Road; thence, South-eastward, along said Clonliffe Road and Ballybough Bridge to the Centre of said Ballybough Bridge; thence, Easterly, along the Centre of the River Tolka to the Centre of Annesley Bridge; thence, South-east, in the Direction of a Point distant perpendicularly Northward Three hundred Yards from the South-east Corner of the Wall extending from Annesley Bridge to the East Wall, to the Point where such Line is intersected by the Prolongation of a Line drawn between Two Points, the one distant Three hundred Yards perpendicularly Eastward from the North-east Corner of the East Wall, the other distant perpendicularly Three hundred Yards Eastward from the South-east Corner of Mr. Halpin's Patent Slip in the Ballast Office Yard; thence, Southward, along the last-mentioned Line and in Continuation thereof until such Line reaches the Mid Channel of the River Liffey; thence, Westward, along the Mid Channel of the River Liffey until the Line thus drawn is intersected by a Line drawn from the Centre of Ringsend Bridge to a Point on the North Wall Two hundred and Forty Yards (measured along the said Wall) from its Eastern Termination; thence, Southerly, along the last-mentioned Line to the Centre of Ringsend Bridge; thence, Westward, along the Road to Dublin (being a Continuation of Great Brunswick Street) until it intersects Barrow Street; thence, Southward, along Barrow Street to its Point of Intersection with Grand Canal Street; thence, Westward, along Grand Canal Street to Macquay Bridge; thence, in a Westerly direction, along the Southern Bank of the Grand Canal to its Point of Intersection with the Branch leading to the City Basin near Griffith Bridge; thence, Northward, in a straight

DUBLIN.

straight Line to the Turnpike Gate, No. 3, at the South-west Angle of the Circular Road; thence, Northward, along the said Road, through Island Bridge, and over Tarah Bridge across the Liffey, to its Point of Intersection with Conyngham Road; thence, Eastward, along Conyngham Road and Park Gate Street to the Point first described.

To be divided into Sixteen Wards, according to the following Boundaries; and in every of such Wards there shall be One Alderman and Three Councillors.

No. 1.—COLLEGE WARD.

FROM the Centre of Carlisle Bridge, Southward, along Carlisle Bridge, Westmoreland Street, the East Side of College Green and Grafton Street, to the Point of Intersection of said Grafton Street with Nassau Street; thence, South-east, along Nassau Street and Leinster Street to the Point of Intersection of said Leinster Street with Park Street; thence, Eastward, along Park Street and Harcourt Place, to the Point of Intersection of said Harcourt Place with Cumberland Street; thence, Northward, along Cumberland Street to its Point of Intersection with Great Brunswick Street; thence, East, along Great Brunswick Street, the Dublin Road and Ringsend Bridge, to the Borough Boundary; thence, Northward, along the Borough Boundary to the Middle Channel of the River Liffey; thence, West, through the Middle Channel of the River Liffey to the Point first described.

No. 2.—MERRION WARD.

FROM the Point of Intersection of Nassau Street with Dawson Street South, along Dawson Street to the Point of Intersection of said Dawson Street with Saint Stephen's Green North; thence, South-east, along Saint Stephen's Green North and Merrion Row to the Point of Intersection of said Merrion Row with Upper Merrion Street; thence, Northward, along Upper Merrion Street to its Point of Intersection with Merrion Square South; thence, South-east, along Merrion Square South, Upper Mount Street and Huband Bridge, to the East End of said Huband Bridge; thence, North-east, along the Eastern Bank of the Grand Canal to Macquay Bridge; thence, South-east, along Grand Canal Street to its Point of Intersection with Barrow Street; thence, Northward, along Barrow Street to its Point of Intersection with Great Brunswick Street; thence, Westward, along Great Brunswick Street to its Point of Intersection with Cumberland Street; thence, Southward, along Cumberland Street to its Point of Intersection with Harcourt Place; thence, Westward, along Harcourt Place and Park Street to the Point of Intersection of said Park Street with Leicester Street; thence, North-west, along Leicester Street and Nassau Street to the Point first described.

No. 3.—ST. STEPHEN'S WARD.

FROM the Point of Intersection of Mercer Street with King Street South, Southward, along Mercer Street and French Street to the Point of Intersection of said French Street with Cuff Street; thence, Eastward, along Cuff Street to its Point of Intersection with Harcourt Street; thence, Southward, along Harcourt Street to its Point of Intersection with the Circular Road; thence, South-east, along the Circular Road and Eustace Bridge to the South End of said Eustace Bridge; thence, North-east, along the Southern Bank of the Grand Canal to the East End of Huband Bridge; thence, North-west, along Huband Bridge, Upper Mount Street, and Merrion Square South, to the Point of Intersection of said Merrion Square South with Upper Merrion Street; thence, South-west, along Upper Merrion Street to its Point of Intersection with Merrion Row; thence, North-west, along Merrion Row, Stephen's Green North, and King Street South, to the Point first described.

No. 4.—ST. ANDREW'S WARD.

FROM the Centre of Carlisle Bridge, Southward, along Carlisle Bridge, Westmoreland Street, the East Side of College Green, and Grafton Street; to the Point of Intersection of said Grafton Street with Nassau Street,

DUBLIN—
continued.

Street, thence, Eastward, along Nassau Street to its Point of Intersection with Dawson Street; thence, Southward, along Dawson Street to its point of Intersection with Stephen's Green North; thence, North-west, along Stephen's Green North and King Street South to the Point of Intersection of said King Street South with Johnston's Place; thence, North-west, along Johnston's Place and Lower Stephen Street to the Point of Intersection of said Lower Stephen Street with Drury Lane; thence, Northward, along Drury Lane to its Point of Intersection with Fade Street; thence, Westward, along Fade Street to its Point of Intersection with Great George's Street South; thence, Northward, along Great George's Street South to its Point of Intersection with Dame Street; thence, Westward, along Dame Street to its Point of Intersection with Parliament Street; thence, Northward, along Parliament Street and Essex Bridge to the Centre of Essex Bridge; thence, Eastward, through the Middle Channel of the River Liffey to the Point first described.

No. 5.—CASTLE WARD.

FROM a Point in the Centre of the River Liffey One hundred and Sixty Yards Westward from Essex Bridge, Southward, to the Point of Intersection of Fishamble Street with Essex Quay; thence, Southward, along Fishamble Street, Werburgh Street, and Bride Street, to the Point of Intersection of said Bride Street with Bishop Street; thence, Eastward, along Bishop Street to its Point of Intersection with Redmond Hill; thence, Southward, along Redmond Hill to its Point of Intersection with Cuff Street; thence, Eastward, along Cuff Street to its Point of Intersection with French Street; thence, Northward, along French Street and Mercer Street to the Point of Intersection of said Mercer Street with King Street South; thence, North-west, along Johnston's Place and Lower Stephen Street to its Point of Intersection with Drury Lane; thence, Northward, along Drury Lane to its Point of Intersection with Fade Street; thence, Westward, along Fade Street to its Point of Intersection with Great George's Street South; thence, North, along Great George's Street South to its Point of Intersection with Dame Street; thence, Westward, along Dame Street to its Point of Intersection with Parliament Street; thence, Northward, along Parliament Street and Essex Bridge to the Centre of Essex Bridge; thence, Westward, through the Middle Channel of the River Liffey to the Point first described.

DUBLIN—
continued

No. 6.—ST. PATRICK'S WARD.

FROM a Point in the Centre of the River Liffey One hundred and Sixty Yards Westward from Essex Bridge, South, to the Point of Intersection of Fishamble Street with Essex Quay; thence, Southward, along Fishamble Street, Werburgh Street, and Bride Street, to the Point of Intersection of said Bride Street with Bishop Street; thence, Eastward, along Bishop Street to its Point of Intersection with Redmond Hill; thence Southward, along Redmond Hill to its Point of Intersection with Cuff Street; thence, Eastward, along Cuff Street to its Point of Intersection with Harcourt Street; thence, Southward, along Harcourt Street to its Point of Intersection with the Circular Road; thence, South-east, along the Circular Road and Eustace Bridge to the South End of said Eustace Bridge; thence, Westward, along the Southern Bank of the Grand Canal to Clanbrassil Bridge; thence, Northward, along Clanbrassil Bridge, Clanbrassil Street, New Street, Patrick Street, and Nicholas Street, to the Point of Intersection of said Nicholas Street with Back Lane; thence, North-west, along Back Lane to its Point of Intersection with High Street; thence, Eastward, along High Street to its Point of Intersection with School-house Lane; thence, Northward, along School-house Lane and Skipper's Alley to the Point of Intersection of said Skipper's Alley with Merchant's Quay; thence, Northward, in a straight Line to a Point in the Centre of the River Liffey Ninety Yards West of Richmond Bridge; thence, Eastward, through the Middle Channel of the River Liffey to the Point first described.

No. 7.—

No. 7.—ST. AUDEON'S WARD.

FROM a Point in the Centre of the River Liffey One hundred and Fifty-five Yards Westward from Whitworth Bridge, Southward to the Point of Intersection of Meeting-house Yard with Usher's Quay; thence, Southward, along Meeting-house Yard and New Row to the Point of Intersection of said New Row with Thomas Street; thence, Westward, along Thomas Street to its Point of Intersection with Meath Row; thence, Southward, along Meath Row, Meath Street, Brabazon Street, and Brabazon Row, to the Point of Intersection of said Brabazon Row with New Market; thence, Westward, along New Market and Chamber Street to the Point of Intersection of said Chamber Street with Weaver's Square; thence, Southward, along Weaver's Square to its Point of Intersection with Brown Street; thence, Westward, along Brown Street to its Point of Intersection with Love Lane; thence, Southward, along Love Lane and Parnell Bridge to the South End of said Parnell Bridge; thence, Eastward, along the Southern Bank of the Grand Canal to Clanbrassil Bridge; thence, Northward, along Clanbrassil Bridge, Clanbrassil Street, New Street, Patrick Street, and Nicholas Street, to the Point of Intersection of said Nicholas Street with Back Lane; thence, North-west, along Back Lane to its Point of Intersection with High Street; thence, Eastward, along High Street to its Point of Intersection with School-house Lane; thence, Northward, along School-house Lane and Skipper's Alley to the Point of Intersection of said Skipper's Alley with Merchants' Quay; thence, Northward, in a straight Line to a Point in the Centre of the River Liffey Ninety Yards Westward from Richmond Bridge; thence, Westward, through the Middle Channel of the River Liffey to the Point first described.

No. 8.—ST. CATHERINE'S WARD.

FROM the Point in the Centre of the River Liffey One hundred and Fifty-five Yards Westward from Whitworth Bridge, Southward, to the Point of Intersection of Meetinghouse Yard with Usher's Quay; thence, Southward, along Meetinghouse Yard and New Row to the Point of Intersection of said New Row with Thomas Street; thence, Westward, along Thomas Street to its Point of Intersection with Meath Row; thence, Southward, along Meath Row, Meath Street, Brabazon Street, and Brabazon Row, to the Point of Intersection of said Brabazon Row with New Market; thence, Westward, along New Market and Chamber Street to the Point of Intersection of said Chamber Street with Weaver's Square; thence, Southward, along Weaver's Square, to its Point of Intersection with Brown Street; thence, Westward, along Brown Street to its Point of Intersection with Love Lane; thence, Southward, along Love Lane and Parnell Bridge to the South End of Parnell Bridge; thence, North-West, along the Southern Bank of the Grand Canal to its Point of Intersection with the Branch leading to the City Basin near Griffith Bridge; thence, East, along the Middle Channel of said Branch of the Grand Canal to a Point opposite Forbes Lane; thence, Eastward, along Forbes Lane to its Point of Intersection with Marrowbone Lane; thence, North-east, along Marrowbone Lane, Thomas Court, Bridgefoot Street, and Queen's Bridge, to the Centre of Queen's Bridge; thence, Eastward, through the Middle Channel of the River Liffey to the Point first described.

No. 9.—ST. JAMES'S WARD.

FROM the Centre of Sarah Bridge, Southward, along Sarah Bridge, through Island Bridge, and along the Circular Road, to the Turnpike Gate, No. 3, on the South-west Corner of the Circular Road; thence, Southward, in a straight Line to the Point of Intersection of the Grand Canal with the Branch leading to the City Basin near Griffith Bridge; thence, East, along the Middle Channel of said Branch of the Grand Canal to a Point opposite Forbes Lane; thence, East, along Forbes Lane to its Point of Intersection with Marrowbone Lane; thence, North-east, along Marrowbone Lane to its Point of Intersection with Thomas Court; thence, Northward, along Thomas Court, Bridgefoot Street, and Queen's Bridge, to the Centre of Queen's Bridge; thence, Westward, through the Centre of the River Liffey to the Point first described.

No. 10.—

DUBLIN—
continued

No. 10.—CUSTOM HOUSE WARD.

FROM a Point in the Centre of the River Liffey Three hundred and Ten Yards Eastward from Carlisle Bridge, Northward, to the Point of Intersection of Eden Quay with Beresford Place; thence, Northward, along Beresford Place and Lower Gardiner Street to its Point of Intersection with Summer Hill; thence, Eastward, along Summer Hill, Summer Hill Parade, Clarke Bridge, Edward Terrace, Foster Street, Spring Garden Parade, and Ballybough Bridge, to the Borough Boundary; thence, Southward, along the Borough Boundary to the Centre of the River Liffey; thence, Westward, through the Middle Channel of the River to the Point first described.

No. 11.—ST. GEORGE'S WARD.

FROM the Point of Intersection of Binn's Bridge with the Borough Boundary, South-east, along the Borough Boundary to Ballybough Bridge; thence, South-east, along Spring Garden Parade, Foster Street, Edward Terrace, Clarke Bridge, Summer Hill Parade, Summer Hill, and Great Britain Street, to the Point of Intersection of said Great Britain Street with Granby Row; thence, North-west, along Granby Row, Rutland Square West, and Granby Row, to the Point of Intersection of said Granby Row with Lower Dorset Street; thence, North-east, along Lower Dorset Street, Upper Dorset Street, and Binn's Bridge, to the Point first described.

No. 12.—POST OFFICE WARD.

FROM a Point in the Centre of the River Liffey Three hundred and Ten Yards Eastward from Carlisle Bridge, North, to the Point of Intersection of Eden Quay with Beresford Place; thence, Northward, along Beresford Place and Lower Gardiner Street to the Point of Intersection of said Lower Gardiner Street with Talbot Street; thence, West, along Talbot Street, Earl Street, Henry Street, and Mary Street, to the Point of Intersection of said Mary Street with Capel Street; thence, South, along Capel Street and Essex Bridge to the Centre of said Essex Bridge; thence, Eastward, through the Middle Channel of the River Liffey to the Point first described.

No. 13.—ST. THOMAS'S WARD.

FROM the Point of Intersection of Lower Gardiner Street with Talbot Street, West, along Talbot Street, Earl Street, Henry Street, and Mary Street, to the Point of Intersection of said Mary Street with Jervis Street; thence, North, along Jervis Street to its Point of Intersection with Great Britain Street; thence, East, along Great Britain Street to its Point of Intersection; thence, East, along Great Britain Street to its Point of Intersection with King's Inns Street; thence, Northward, along King's Inns Street to its Point of Intersection with Bolton Street; thence, North-east, along Bolton Street and Lower Dorset to its Point of Intersection with Granby Row; thence, South-east, along Granby Row, Rutland Square West, and Granby Row, to the Point of Intersection of said Granby Row with Great Britain Street; thence, North-east, along Great Britain Street to its Point of Intersection with Lower Gardiner Street; thence, South, along Lower Gardiner Street to the Point first described.

No. 14.—LINEN HALL WARD.

FROM a Point in the Centre of the River Liffey One hundred and Forty-five Yards Westward from Essex Bridge, Northward, to the Point of Intersection of Arran Street East with Upper Ormond Quay; thence, Northward, along Arran Street East, Boot Lane, Petticoat Lane, and Green Street, to the Point of Intersection of said Green Street with King Street North; thence, Westward, along King Street North to its Point of Intersection with Coleraine Street; thence, Northward, along Coleraine Street, Constitution Hill, and Foster Aqueduct, to the North End of Foster Aqueduct; thence, Northward, along the Western Bank of the Branch of the Royal Canal

DUBLIN—
continued.

Canal leading to the Royal Canal Harbour to its Point of Intersection with the Royal Canal about Three hundred and Sixty Yards North of Blaquiere Bridge; thence, Northward, in the same straight Line to the Northern Bank of the Royal Canal; thence, South-east, along the Northern Bank of the Royal Canal to Binn's Bridge; thence, South-west, along Binn's Bridge, Upper Dorset Street, Lower Dorset Street, and Bolton Street, to the Point of Intersection of said Bolton Street with King's Inns Street; thence, South-east, along King's Inns Street to its Point of Intersection with Great Britain Street; thence, Westward, along Great Britain Street to its Point of Intersection with Jervis Street; thence, Southward, along Jervis Street to its Point of Intersection with Mary Street; thence, Westward, along Mary Street to its Point of Intersection with Capel Street; thence, Southward, along Capel Street and Essex Bridge to the Centre of said Essex Bridge; thence, Westward, through the Middle Channel of the River Liffey to the Point first described.

No. 15.—FOUR COURTS WARD.

FROM a Point in the Centre of the River Liffey One hundred and Forty-five Yards Westward from Essex Bridge, Northward, to the Point of Intersection of Arran Street East with Upper Ormond Quay; thence Northward, along Arran Street East, Boot Lane, Petticoat Lane and Green Street, to the Point of Intersection of said Green Street, with King Street North; thence, Westward, along King Street North to its Point of Intersection with Coleraine Street; thence, Northward, along Coleraine Street, Constitution Hill and Foster Aqueduct, to the North End of Foster Aqueduct; thence, Northward, along the Western Bank of the Branch of the Royal Canal leading to the Royal Canal Harbour to its Point of Intersection with the Royal Canal about Three hundred and Sixty Yards North of Blaquiere Bridge; thence in the same straight Line to the Northern Bank of the Royal Canal; thence, North-west, along the Borough Boundary to its Intersection with the Bradogue Water on the Circular Road; thence, Southward, along the Bradogue Water to North-west Angle of the Richmond Penitentiary; thence, South, along the West Front of the Richmond Penitentiary to South-west Angle of said Penitentiary; thence, South, along Grange Gorman Lane and George's Lane to the Point of Intersection of said George's Lane with King Street North; thence, Eastward, along King's Street North to its Point of Intersection with Bow Street; thence, Southward, along Bow Street to its Point of Intersection with May Lane; thence, Eastward, along May Lane to its Point of Intersection with Old Church Street; thence, Southward, along Old Church Street and Whitworth Bridge to the Centre of said Whitworth Bridge; thence, Eastward, through the Middle Channel of the River Liffey to the Point first described.

DUBLIN—
continued

No. 16.—ST. PAUL'S WARD.

FROM the Centre of Sarah Bridge in a Northerly Direction along the Borough Boundary to its Intersection with the Bradogue Water on the Circular Road; thence, Southward, along the Bradogue Water to the North-west Angle of the Richmond Penitentiary; thence, Southward, along the West Front of the Richmond Penitentiary to the South-west Angle of said Penitentiary; thence, Southward, along Grange Gorman Lane and George's Lane to the Point of Intersection of said George's Lane with King Street North; thence, Eastward, along King Street North to its Point of Intersection with Bow Street; thence, Southward, along Bow Street to its Point of Intersection with May Lane; thence, Eastward, along May Lane to its Point of Intersection with Old Church Street; thence, Southward, along Old Church Street and Whitworth Bridge to the Centre of said Whitworth Bridge; thence, Westward, through the Middle Channel of the River Liffey to the Point first described.

6.—GALWAY.

GENERAL BOUNDARY.

FROM the South-eastern Angle of the House called Bellmount (now the Property of William Kelly, Esq.) on the Eastern Side of the Oughterard Road, Eastward, in a straight Line to the Point on the Southern Shore of Turlough, at which a Lane leaves such Shore and meets the Bohermore Road at about Six hundred and Eighty Yards North-eastward of the Entrance Gate of the County Infirmary; thence along the said Lane to its Point of Junction with the Bohermore Road; thence, Southward, in a straight Line to the South-eastern Angle of the College on the Northern Side of the College Road; thence, Southward, in a straight Line to the Direction of the Edge of the Steep Cliff which forms the Western Shore of Hare Island, to the Point at which such straight Line meets the Northern Shore of Lough Athalia; thence, South-westward, in a straight Line to the Eastern Point of the new Pier called Slate Pier; thence, Westward, along the Shore of Galway Bay to the Point at which it is intersected by a Line from the Lighthouse in Mutton Island to the Tower of the House called "Fort Eyre," (now in the occupation of the Reverend Edward Eyre Maunsell); thence, North-westward, along such Line to a Point One hundred and five Yards North-westward from the Northern Side Wall of the Road to the Village of Boherard; thence, North-eastward, in a straight Line to the Point first described.

To be divided into Three Wards, according to the following Boundaries; and in every of such Wards there shall be Two Aldermen and Six Councillors.

No. 1.—WEST WARD.

FROM the Point at which Lough Corrib cuts the Municipal Boundary, Southward, down the Centre of the Lough to the New Bridge; thence down the Centre of the River Galway to the West Bridge; thence in a right Line to the Head of the Pier forming the Northern Side of the Fishing Boats Harbour; thence along the Bank of the River of Galway to the Head of the Slate Pier; thence, Westward, along the Municipal Boundary to the Point first described.

No. 2.—NORTH WARD.

FROM the Point at which Lough Corrib cuts the Municipal Boundary, Southward, down the Centre of the Lough to the New Bridge; thence down the Centre of the River of Galway to the West Bridge; thence, Eastward, along the West Bridge, Bridge Street, the Main Guard, Shop Street, William Street, the North Side of Eyre or Meyrick Square, and Bohermore Road, to the Municipal Boundary; thence, Northward, along the Municipal Boundary to the Point first described.

No. 3.—SOUTH WARD.

FROM the Point at which the Bohermore Road cuts the Municipal Boundary, Westward, along the Bohermore Road, the North Side of Eyre or Meyrick Square, William Street, Shop Street, the Main Guard and Bridge Street; thence, South-eastward, along the Bank of the River Galway and the Sea Shore to the Municipal Boundary; thence, Northward, along the Municipal Boundary to the Point first described.

GALWAY.

7.—KILKENNY.

GENERAL BOUNDARY.

FROM the Point South-west of the City, where the Brega River crosses the Road to Clonmel, following the Course of the River Northerly, to the Point where the River makes a sudden turn to the Eastward, and where the Mill Stream, from a ruined Factory West of the River, meets the River Brega; thence in a straight Line to the Point on the Bonnets-town Road, where a Bye-road leading to Lousy Bush leaves the Bonnets-town Road; thence in a straight Line to the Point at the South End of Farmhouse on the Western Road to Freshford, belonging to Mr. Purcell, and occupied by Michael M'Donell; thence in a straight Line across the main Road to Freshford, and across the River Nore to the Point where the Road to Ballyragget, along the River, leaves the old Road to Castlecomer, and just North of the Police Station at Mount Brilliant; thence following the old Road to Castlecomer to the Point where it joins the new Road leading from the Barracks at a new House belonging to Mr. Nowlan; thence in a straight Line to the Point at the North-east Corner of the Barrack Enclosure, and following the Back or Eastern Wall of the Barracks to the South-eastern Corner thereof on the Road to John's Well at the Point; thence in a straight Line across the Clara Road and across Williams' Lane to a remarkable Building on a Hill East of the City, belonging to Mr. Purcell, called the Gazebo; thence in a straight Line across the River Nore to the Point at the South-eastern Corner of Mr. Scott's Garden on the Road to Bennett's Bridge; thence, following the Southern Enclosure of the said Garden and of the adjoining Garden of Switzer's Asylum, to the Point where it meets a Lane leading from the Bennett's Bridge Road to the Waterford Road; thence following the said Lane to the Point where it joins the Waterford Road; thence in a straight Line to the Point at the South-western Corner of the Enclosure of the House of Correction; thence following the Western Side of the Enclosure Wall, to the Point where, if produced, it would meet the Road to Kells; thence, Westerly, along the Road to Kells to the Point where a Quarry on the North Side of the Road joins the said Road, and about One hundred Yards from the Point; thence, turning Northerly, along a Stone Wall about Ninety Yards to the Point where the said Stone Wall meets a Lane called Waters's Lane, leading from Upper Patrick Street towards Mr. Robertson's House called "Rose Hill;" thence along the said Lane, Westerly, to the Point where it crosses the River Brega, South of Rose Hill; thence along the Brega to the Point first described.

KILKENNY.

To be divided into Three Wards, according to the following Boundaries; and in every of such Wards there shall be Two Aldermen and Six Councillors.

No. 1.—EAST WARD.

FROM the Bridge where the Brega River crosses the Castle Blunden Road, Easterly, down Upper Walkins Street and Lower Walkins Street to its Intersection with High Street; thence, Southerly, along High Street to its Junction with Patrick Street; thence, Easterly, down Rose Inn Street to the Centre of Saint John's Bridge, and along the Centre of the River Nore, Northerly, till it intersects the City Boundary; thence following the said Boundary, Eastward, to the Bridge over the Brega on the Castle Blunden Road.

No. 2.—ST. MARY'S WARD.

FROM the Centre of Saint John's Bridge, Westerly, up Rose Inn Street to its Point of meeting with Patrick Street and High Street; thence, Northerly, along High Street, Coal Market, Watergate, Bull Alley, Vicar's Street, Bishop's Hill, and along the Freshford Road till it meets the Borough Boundary; thence along the said Boundary, Eastward, to the Centre of the River Nore, and, Southerly, along the River to Saint John's Bridge.

No. 3.—

No. 3.—ST. CANICE'S WARD.

KILKENNY—
continued

FROM the Bridge over the Brega on the Castle Blunden Road, Northward, along the Boundary of the East Ward till it joins the High Street; thence, Northerly, along High Street, Coal Market, Watergate, Bull Alley, Vicar's Street, Bishop's Hill, and along the Freshford Road till it meets the City Boundary; thence, Westerly, along the said Boundary to the Bridge over the Brega on the Castle Blunden Road.

8.—LIMERICK.

GENERAL BOUNDARY.

FROM the Point at the North of King's Island where the Salmon Weir River flows, from the Shannon, along the said Salmon Weir River till it reaches the Point where the Canal joins the said River; thence, in a Direction Easterly, along the Canal for about Half a Mile to the Centre of Park Bridge which crosses the Canal; thence in a straight Line to the Centre of the Cupola upon the Top of the Lunatic Asylum; thence, in a straight Line and South-westerly Direction, to the Point in the Roxborough Road where it is met by Wilmont Lane; thence along Wilmont Lane to the West Pier of a Gate belonging to Mr. Maloney on North Side of said Lane and nearly opposite to Wilmot Villa; thence, in a straight Line and North-westerly Direction, across Mr. Maloney's Field and Two other Fields till it reaches the Extremity of a small Lane; thence, continuing along said Lane, past the Limestone Quarry of William Hargan until it reaches Bohirboy Road; thence, Westerly, along Bohirboy till it reaches Hore's Street; thence, North-westerly, along Hore's Street to the South Circular Road; thence, North-easterly, about Twenty-three Yards along the Circular Road to where Court Brack Avenue leads off North-westerly; thence, North-westerly, along Court Brack Avenue till it reaches Harvey's Quay, situated at the End of the said Avenue; thence in a straight Line across the Shannon to Barrington's Quay upon the Clare Side near the old Ruins of Kilrush Church; thence, about Two hundred Yards North-easterly along Barrington's Quay, to the North Circular Road; thence, North-westerly, and following the direction of the Circular Road to where it meets the Shelbourne and Farrenshowen Roads; thence along the Farrenshowen Road to where it crosses the new Ennis Mail Road at nearly Half a Mile from Wellesley Bridge; thence continuing about One hundred Yards up the Farrenshowen Road to where there is a Cottage at a Turn in the Road; thence in a straight Line to the Point where the Killaloe Road meets the old North Ennis Road; thence along the Killaloe Road to the Point where it meets the Black Stick Road; thence in a straight Line to the Point first described.

To be divided into Five Wards, according to the following Boundaries; and in every of such Wards there shall be Two Aldermen and Six Councillors.

No. 1.—THOMOND BRIDGE WARD.

FROM the Point of Barrington Quay, along the Municipal Boundary, to the North Point of the King's Island; thence, Southward and Westward, along Salmon Weir River till it reaches the Shannon; thence, South-westerly, along the Shannon to the Point first described.

No. 2.—JOHN STREET WARD.

FROM the Commencement of the Canal in the Salmon Weir River to the centre of the Park Bridge which crosses the Canal; thence, in a straight Line to the centre of the Cupola of the Lunatic Asylum; thence, in a straight Line to the Point where the Wilmont Road meets the Roxborough Road; thence, Northerly, along the Roxborough Road, Upper William Street, High Street, Mungret Street, to the centre of Ball's Bridge; thence to the Point first described.

No. 3.—

LIMERICK.

No. 3.—PATRICK STREET WARD.

FROM the Shannon by a straight Line through the Centre of Bedford Row; thence, through Thomas Street; thence through part of Wickham Street into High Street; thence through High Street, Mungret Street, Broad Street, to the Centre of Ball's Bridge; thence along the Stream passing under New Bridge to the Shannon, and along its Course, Southward, to the Line of Bedford's Row produced.

No. 4.—GLENTWORTH STREET WARD.

FROM the Shannon by a straight Line through the Centre of Mallow Street; thence, Westerly, through a part of Bohirboy Street to Carey's Road; thence along Carey's Road to the John Street Ward Boundary in the Roxborough Road; thence along that Boundary to the Patrick Street Ward; thence along the Patrick Street Ward Boundary to the Shannon, and along its Course, Southward, to the Line of Mallow Street produced.

No. 5.—RICHMOND PLACE WARD.

FROM the Shannon, along the Municipal Boundary, to the extreme Southerly Point; thence, Northwards, along the same Boundary to the John Street Ward Boundary; thence along the John Street Ward Boundary to the Glentworth Street Boundary; thence along the Glentworth Street Boundary to the Shannon, and along its Course, Westwards, to the Municipal Boundary.

LIMERICK
continued.

9.—LONDONDERRY.

GENERAL BOUNDARY.

FROM a stout Masonry Pillar North Side of Gateway at Black Bush Cottage on West Side of the Road to Fahan, Eastward, by a straight Line to the West End of the Brick Wall forming a Part of the North Boundary of the Premises of the Free Grammar School of Foyle Academy; thence, Easterly, along the above-mentioned Brick Wall to its Eastern Termination at the High Road on the Bank of the River Foyle; thence, Eastward, in a straight Line, in continuation of the Line of the Brick Wall last-mentioned, until the same arrives at the Point being its Intersection of the ordinary Low-water Mark on the East Shore of the River Foyle; thence, Southward, along the Line of the ordinary Low-water Mark until such Line is terminated by the Prolongation Westward of the Line of the South Boundary Fence of the Pleasure Grounds of the late William Bond, Esquire; thence, Eastward, along the Line of the above-mentioned Boundary Fence of Pleasure Grounds until it arrives at its Point of Intersection with the East Side of the Road to Newtown Limavady; thence, South-easterly, in a straight Line to a stout Masonry Pillar West Side of a Gateway on the South Side of the Dungiven Road, about Fifty Yards East of Newtown Limavady Road; thence, Southerly, in a straight Line to a Point on the Clondermot Road where the North Boundary Fence of the Tannery Premises of Mr. William M'Carter terminates; thence, South-westerly, in a straight Line to the Point on the Road to Dunymagh, distant Two hundred and Fifty Feet from its Point of Junction with the old Strabane Road; thence, Westerly, in a straight Line to the Point on the old Strabane Road where a Lane departs Southerly to the Fields; thence, Westerly, along the old Strabane Road to the South-westernmost Gable of the Houses at Gobnascale on the North-west side of said old Strabane Road; thence, Westerly, in a straight Line to a Point in the Townland Boundary between Gobnascale and Tammynore where said Boundary is met by a Lane from the North-east; thence, North-westerly, in continuation and prolongation of last-mentioned Townland Boundary, until it meets and intersects the Line of ordinary Low-water Mark on the East Shore of the River Foyle; thence, South-westerly along the Line of the ordinary Low-water Mark, until it is intersected by a Line,

LONDON-
DERRY.

a Line drawn from the North-east Angle of Foyle Hill Park across the River Foyle to the Cottage about One hundred and Sixty Yards East of the Point of Intersection of the Boundary between the Townland of Gobnascale and Tamnymore and the old Strabane Road; thence, North-westerly, along the intersecting Line just mentioned to the North-east Angle of the Boundary Fence of Foyle Hill Park; thence, North-westerly, along the Boundary Fence of Foyle Hill Park to the Point where it meets Long Moor Lane; thence, North-westerly, along the North Boundary Fence of Foyle Hill Park to a Point Two hundred Feet West of Long Moor Lane; thence North-easterly, in a straight line to the North End of the Brick Wall forming the Western Boundary Fence of Walker's Nurseries; thence, North-easterly, along the Western Boundary of the Nursery Grounds to a Point on the Road to Newton Cunningham where it forms a sharp Angle; thence, Northerly, in a straight Line to a Point in the Avenue leading to the Deer Park at Two hundred Feet distant Westward from the Entrance Gate in Long Moor Lane; thence, North-easterly, in a straight Line to the South-west End of the Rope Walk on the Creggan Road; thence, North-easterly, in a straight Line to a Point in the Lane leading Westward from the Gate at the Black Bush Cottage at One hundred Feet Distance Westward of said Gate; thence, Eastward, One hundred Feet along last-mentioned Lane to the Point on the Fahan Road already described.

To be divided into Three Wards, according to the following Boundaries; in every of such Wards there shall be Two Aldermen and Six Councillors.

No. 1.—NORTH WARD.

From the Corporation Hall in a straight Line to the Point at which Ship Quay Street meets the Diamond; thence along Ship Quay Street to the Point at which the same meets the Wooden Quay; thence along the Wooden Quay and along a straight Line drawn in prolongation of the Wooden Quay to the Point at which such straight Line cuts the Boundary of the Borough; thence, Northward, along the Boundary of the Borough to the Point at which the same meets the Avenue to the Bishop's Demesne; thence, Eastward, along the said Avenue to the Point at which the same meets Long Moor Lane; thence along Long Moor Lane to the Point at which the same meets the Rope Walk; thence along the Rope Walk to the Point at which the same meets St. Columb's Well Road; thence, Northward, along St. Columb's Well Road to the Point at which the same meets the Cow Bog; thence along the Cow Bog to Butcher Gate; thence along Butcher Street to the Point at which the same meets the Diamond; thence in a straight Line to the Point first described.

No. 2.—EAST WARD.

From the Corporation Hall in a straight Line to the Point at which Ferry Quay Street meets the Diamond; thence along Ferry Quay Street to the Point at which the same meets Pump Street; thence along Pump Street to the Point at which the same meets Widow's Row; thence, Southward, along Widow's Row to the Point at which the same meets Fountain Street; thence, Westward, along Fountain Street to the Point at which the same meets Wapping Lane; thence along Wapping Lane to the Point at which the same meets the River Foyle; thence, Southward, along the River Foyle to the Point at which the same meets the Boundary of the Borough; thence, Eastward, along the Boundary of the Borough to the Point at which the same crosses a straight Line drawn in prolongation of the Wooden Quay; thence along such straight Line to the Eastern End of the Wooden Quay; thence along the Wooden Quay to the Point at which the same meets Ship Quay Street; thence along Ship Quay Street to the Point at which the same meets the Diamond; thence in a straight Line to the Point first described.

No. 3.—SOUTH WARD.

From the Corporation Hall in a straight Line to the Point at which Ferry Quay Street meets the Diamond; thence along Ferry Quay Street to the Point at which the same meets Pump Street; thence along Pump Street to the Point at which the same meets Widow's Row;

LONDON-
DERRY—
continued.

LONDON-
DERRY—
continued.

Row ; thence, Southward, along Widow's Row to the Point at which the same meets Fountain Street ; thence, Westward, along Fountain Street to the Point at which the same meets Wapping Lane ; thence along Wapping Lane to the Point at which the same meets the River Foyle ; thence, Southward, along the River Foyle to the Point at which the same meets the Boundary of the Borough ; thence, Westward, along the Boundary of the Borough to the Point at which the same meets the Rope Walk ; thence along the Rope Walk to the Point at which the same meets St. Columb's Well Road ; thence, Northward, along St. Columb's Well Road to the Point at which the same meets the Cow Bog ; thence along the Cow Bog to Butcher Gate ; thence along Butcher Street to the Point at which the same meets the Diamond ; thence in a straight Line to the Point first described.

10.—SLIGO.

GENERAL BOUNDARY.

FROM the Northern Angle of the New Stone Quay called Ballast Bank, Eastward, in a straight Line to the Centre of the Bridge on the Road leading from Old Bridge across the Townland of Cartron to the Townland of Ballincan ; thence, Eastward, in a straight Line to the Centre of the Bridge on the Road leading from Old Bridge to the Townland of Carcash ; thence, South-eastward, in a straight Line to the North-eastern Angle of the Sligo Fever Hospital ; thence, Southward, in a straight Line to the Point where the Boundary between the Townlands of Abbey Quarter and Cleveragh meets the Southern Bank of the River Garvoge ; thence in a straight Line to the South-eastern Angle of the County Gaol Enclosure Wall ; thence, South-westward, in a straight Line to the North-eastern Angle of the House called Peterville on the Western Side of the Boyle Road ; thence, North-westward, in a straight Line to the North-western Angle of the House called Rose Hill, now in the occupation of Thomas Read, Esq. ; thence, Northward, in a straight Line to the Point at which the North-western Face of Ballast Bank Quay terminates, being about Eighty Yards South-westward of the Point first described ; thence along the North-western Face of such Quay to the Point first described.

To be divided into Three Wards, according to the following Boundaries ; and in every of such Wards there shall be Two Aldermen and Six Councillors.

No. 1.—NORTHERN WARD.

SLIGO.

FROM the Point at which the River Garvoge cuts the Municipal Boundary, Westward, along the River to the Centre of Old Bridge ; thence along Old Bridge or Bridgefoot Street, Wine Street, and the Road which forms the Boundary between the Townlands of Rathedmond and Knappaghbeg, to the Point at which such Road meets the Municipal Boundary ; thence, North-eastward, along the Municipal Boundary to the Point first described.

No. 2.—EASTERN WARD.

FROM the Point at which the River Garvoge cuts the Municipal Boundary, Westward, along the River to the Centre of Old Bridge ; thence along Old Bridge or Bridgefoot Street, Knox's Street, Radcliffe Street, Market Street, High Street, Pound Street and the Boyle Mail Coach Road, to the Point at which such Road meets the Municipal Boundary ; thence, North-eastward, along the Municipal Boundary to the Point first described.

No. 3.—WESTERN WARD.

FROM the Point at which the Boyle Mail Coach Road cuts the Municipal Boundary, along such Road, Pound Street, High Street, Market Street, Radcliffe Street, Knox's Street, Wine Street and the Road which forms the Boundary between the Townlands of Rathedmond and Knappaghbeg to the Point at which such Road meets the Municipal Boundary ; thence, Southward, along the Municipal Boundary to the Point first described.

11.—WATERFORD.

GENERAL BOUNDARY.

FROM the Point on the North-west Extremity of the Town where the Yard Wall of the Brewery of Messieurs Davis, Strangman and Company joins the River Suir, in a straight Line to the Point where Summer Hill Gallows Road and Morgan's Street meet; thence along the Military Road, Morrisson's Road, Barrack Street, Manor Hill, College Street, Bath Street, across John's Pill at Wyse's Bridge, along Poleberry Street to near the South Corner of Mr. Deleander's House; thence in a straight Line to where the John's Town Road and Upper Newtown Road meet; thence along the Upper Newtown Road towards East Passage to the Centre of the Road in Front of the Orphan House; thence in a straight Line to, across the River, the Roman Catholic Chapel in the Abbey Church Lands; thence in a straight Line to Mr. Charles Gatson's Cottage on the Side of Mount Misery; thence across the River to the Point first described.

To be divided into Five Wards, according to the following Boundaries; and in every of such Ward there shall be Two Aldermen and Six Councillors.

No. 1.—TOWER WARD.

FROM the Point at which the River Suir meets Henrietta Street, along Henrietta Street, to the Point at which the same meets the open Space in Front of Christ Church; thence in a straight Line to Colebeck Street, along Colebeck Street; thence through Beresford Street to John's Street; thence through a Part of John's Street to John's Bridge; thence along the Centre of John's Pill to Wyse's Bridge; thence along the Municipal Boundary, Eastward, to the River Bank, and along the Course of the River to the Point first described.

No. 2.—CUSTOM HOUSE WARD.

FROM the Point at which the River Suir meets Henrietta Street, along the Boundary of Tower Ward, until it meets John's Street; thence, to the North, through Part of John's Street, Michael Street, Broad Street, and Barron Strand Street, to the River; and thence along its Course to the Point first described.

No. 3.—CENTRE WARD.

FROM the Quay opposite Baron Strand Street, along the Boundary of Custom House ward, to where Patrick's Street crosses it; along Patrick's Street, Westwards, to Ballybricken; along the West Wall of the County Gaol, across Barker Street, along Henry Street and Hanover Street, to the River; and thence to the Point first described.

No. 4.—WEST WARD.

FROM the Quay, opposite Hanover Street, along the Boundary of Centre Ward, to where it meets Ballybricken; thence, Westwards, along Ballybricken and Morgan Street to the Point on the Municipal Boundary where Summer Hill, Gallows Road, and Morgan Street meet; thence along the Municipal Boundary across the River. This Ward to include also the whole Space comprehended within the Parliamentary Boundary on the North Side of the River Suir.

No. 5.—SOUTH WARD.

FROM the Point in the Municipal Boundary where Summer Hill, Gallows Road and Morgan Street meet, along the Boundary of West Ward, through Morgan Street, Ballybricken and Patrick's Street, to the Boundry of Custom House Ward; along that Boundary to the Point where it meets the Boundary of Tower Ward; along the Boundary of Tower Ward to Wyse's Bridge; and thence along the Municipal Boundary to the Point first described.

WATERFORD.

SCHEDULE¹ (D.)

No. 1.

The LIST of BURGESSES of the Borough of [or in the Parish, or Precinct, or Ward of in the Borough of .]

Christian Name and Surname of each Person at full Length.	Street, Lane, or other Place in this Borough [or Parish, Precinct, or Ward in this Borough] where the Property in respect whereof the Party is to be enrolled is situate.
Andrews, Peter - - - - -	No. 1, Green Street.
Brady, Thomas - - - - -	No. 3, White's Lane.

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Dated the day of in the year .

(Signed) A. B.
Churchwarden of the said Parish [or Town Clerk of the said Borough, or Alderman of the said Ward, &c.]

No. 2.

NOTICE OF CLAIM.

To the Town Clerk of the Borough of .

I HEREBY give you Notice, That I claim to have my Name enrolled in the Burgess Roll of the Borough of , and that I occupy [here describe the House, Warehouse, Counting-house or Shop then occupied by the Claimant,] in the said Borough, of the full yearly Value of Pounds or upwards; and that I have occupied the said Premises [or the said Premises or other Premises, describing such other Premises, within the said Borough,] for the Space of last past.

Dated the day of in the year .

(Signed) HENRY STILES.

No. 3.

NATURE OF OBJECTION.

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To the Town Clerk of the Borough of .

I HEREBY give you Notice, That I object to the Name of Thomas Brady, of White's Lane, in this Borough [describe the Person objected to as described in the List of the Churchwardens, Town Clerk or Alderman of the Ward, &c.] being retained on the Burgess Roll of the Borough of

Dated the day of in the year .

(Signed) MICHAEL MEARES of [here state the Place of Abode and Property in respect of which he is said to be entitled to be enrolled in the List of the Churchwardens, Town Clerk or Alderman of the Ward, &c.]

¹ (C.)

No. 4.

LIST OF CLAIMANTS.

The following Persons claim to have their Names inserted on the Burgess Roll of the Borough of

Christian Name and Surname of each Claimant.	Present Occupancy.	Former Occupancy, as stated in the Claim.
209 Henry Stiles - - -	House, No. 10, Capel Street -	- - Shop, No. 17, Henry Street, during the last Month, and House, No. 6, Aston's Quay, during the Five preceding Months.

Dated the day of in the year.

(Signed) A. B., Town Clerk.

No. 5.

LIST OF PERSONS OBJECTED TO.

The following Persons have been objected to as not being entitled to have their Names retained on the Burgess Roll of the Borough of

Christian Name and Surname of each Person objected to.	Property in respect of which he is said to be entitled to be enrolled in the List of the Churchwardens, Town Clerk, or Alderman of the Ward, &c.
Thomas Brady - - - - -	No. 3, White's Lane.

Dated the day of in the year

(Signed) A. B., Town Clerk.

No. 6. — (Added by The Lords.)

LIST of PERSONS subject to the Payment of [here insert Poor Rate, &c., as the case may require,] within the Limits of the Borough of [here insert the Name of the Borough,] and within the Collection of the undersigned Collector.

Name of Occupier.	Description of Property rated or assessed.	Name or Situation of the Property.	Amount of Poor Rate, Cess or Tax (as the case may be) charged thereon.	To what Time paid up.

SCHEDULE (E).

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No. 1.

FORM OF PROCESS OF ATTACHMENT OF GOODS IN COURT OF RECORD.

Borough of L. to wit. A. B. of, &c., in, &c. [Name, Residence and Addition of Plaintiff.] Plaintiff. C. D. of, &c., in, &c. [Name, Residence and Addition of Defendant.] Defendant.	}	ATTACH the Defendant by his goods and chattels, if found within the jurisdiction of this Court, so that he be before the Recorder of the said Borough at _____ on _____ day the _____ day of _____ next after the date hereof, to answer the Plaintiff's Suit in an Action for the sum of [here insert the amount of the demand], for [here insert the cause of Action]; and have you then there this Writ.
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Dated this _____ day of _____ One thousand eight hundred _____ .
G. H., Registrar.

To _____

No. 2.

FORM OF SUMMONS IN COURT OF CONSCIENCE.

Borough of L. to wit. A. B. of, &c., in, &c. [Name, Residence and Addition of Plaintiff.] Plaintiff. C. D. of, &c., in, &c. [Name, Residence and Addition of Defendant.] Defendant.	}	By the President of the Court of Conscience for the said Borough: The Defendant is hereby required personally to appear before the said President at _____ on _____ day the _____ day of _____ next after the date hereof, to answer the Plaintiff's Suit for the sum of [here insert the amount of the debt], for [here insert the particulars of the demand.] On default thereof the said President will proceed as to justice shall appertain.
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Dated this _____ day of _____ One thousand eight hundred _____

Signed on behalf of the Plaintiff, }

SCHEDULE (B.)—(Struck out by The Lords.)

SECTION 1.—PARLIAMENTARY BOUNDARIES to be taken.

BOROUGH.	Wards.	Aldermen.	Councillors.	STYLE OF CORPORATE BODY.
ARMAGH - -	—	6	18	-- The Sovereign, Free Burgesses and Commonalty of 202 the Borough of Armagh.
ATHLONE - -	—	6	18	-- The Sovereign, Bailiffs, Burgesses and Freemen of the Town of Athlone.
BANDON - -	—	6	18	-- The Provost, Free Burgesses and Commonalty of the Borough of Bandon Bridge.
CARLOW - -	—	6	18	-- The Sovereign, Free Burgesses and Commonalty of the Borough of Catherlagh.
CARRICKFERGUS -	—	6	18	-- The Mayor, Sheriff, Burgesses and Commonalty of the Town of Carrickfergus.
CASHEL -	—	6	18	-- The Mayor, Aldermen, Bailiffs, Citizens and Commons of the City of Cashel.
COLERAINE - -	—	4	12	-- The Mayor, Aldermen and Burgesses of the Town of Coleraine.
DUNDALK - -	—	6	18	-- The Bailiff, Burgesses and Commonalty of the 203 Borough of Dundalk.
DUNGANNON -	—	4	12	-- The Provost, Free Burgesses and Commons of the Borough of Dungannon.
ENNIS - -	—	6	18	-- The Provost, Free Burgesses and Commonalty of the Town of Ennis.
ENNISKILLEN -	—	4	12	-- The Portreeve, Free Burgesses and Commonalty of the Borough of Enniskillen.
KINSALE - -	—	6	18	-- The Sovereign, Burgesses and Commonalty of the Town of Kinsale.
NEW ROSS - -	—	4	12	The Sovereign and Burgesses of New Ross.
PORTARLINGTON -	—	4	12	-- The Sovereign, Bailiffs and Burgesses of the Borough and Town of Portarlinton.
TRALEE - -	—	6	18	-- The Provost, Free Burgesses and Commonalty of the Borough of Tralee.
WEXFORD - -	—	6	18	-- The Mayor, Bailiffs, Free Burgesses and Commonalty of the Town or Borough of Wexford.
YOUGHAL - -	—	6	18	-- The Mayor, Bailiffs, Burgesses and Commonalty of 204 the Town of Youghal.

SECTION 2.—ANCIENT BOUNDARIES to be taken.

BOROUGH.				Wards.	Aldermen.	Councillors.	STYLE OF CORPORATE BODY.
ARDEE	-	-	-	—	4	12	-- The Portreeve, Burgesses and Commons of the Corporation of Atherdee.
ATHY	-	-	-	—	4	12	-- The Sovereign, Bailiffs, Free Burgesses and Commonalty of the Borough of Athy.
BOYLE	-	-	-	—	4	12	-- The Borough Master, Free Burgesses and Commonalty of the Borough of Boyle.
CALLAN	-	-	-	—	4	12	The Sovereign, Burgesses and Freemen of Callan.
CHARLEVILLE	-	-	-	—	4	12	-- The Sovereign, Bailiffs and Burgesses of the Borough of Charleville.
CLOGHNAKILTY	-	-	-	—	4	12	-- The Sovereign, Free Burgesses and Commonalty of the Borough of Cloghnakilty.
205 DINGLE	-	-	-	—	4	12	-- The Sovereign, Burgesses and Commonalty of the Town of Dingle-i-couch.
ENNISCORTHY	-	-	-	—	4	12	-- The Portreeve, Free Burgesses and Commonalty of the Borough of Enniscorthy.
FETHARD	-	-	-	—	4	12	-- The Sovereign, Chief Burgesses, Portreeve and Freemen of the Town of Fethard.
GOREY	-	-	-	—	4	12	-- The Sovereign, Burgesses and Free Commons of the Borough and Town of Newborough.
KELLS	-	-	-	—	4	12	-- The Sovereign, Provosts, Burgesses and Commonalty of the Borough of Kells.
LONGFORD	-	-	-	—	4	12	-- The Sovereign, Bailiffs and Burgesses of the Borough of Longford.
MARYBOROUGH	-	-	-	—	4	12	-- The Burgomaster, Bailiffs, Burgesses and Commonalty of Maryborough.
MONAGHAN	-	-	-	—	4	12	- The Provost, Free Burgesses and Commonalty of the Borough of Monaghan.
NAAS	-	-	-	—	4	12	-- The Sovereign, Provost, Burgesses and Commonalty of Naas.
206 NAVAN	-	-	-	—	4	12	-- The Portreeve, Burgesses and Freemen of the Town or Borough of Navan.
STRABANE	-	-	-	—	4	12	-- The Provost, Free Burgesses and Commonalty of the Town of Strabane.
TRIM	-	-	-	—	4	12	-- The Portreeve, Burgesses and Freemen of Trim.
TUAM	-	-	-	—	4	12	-- The Sovereign, Free Burgesses and Commonalty of the Borough of Tuam.

SCHEDULE (D)—(Struck out by The Lords.)

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- BELFAST** - - -- An Act for paving, cleansing, and lighting and improving the several Streets, Squares, Lanes, and Passages within the Town of Belfast in the County of Antrim, and for removing and preventing all Encroachments, Obstructions and Annoyances therein; and also for establishing and maintaining a Nightly Watch throughout the said Town and Precincts thereof; and for other Purposes. [40 Geo. 3, c. 37.]
- An Act to explain and amend an Act of His present Majesty, for paving, cleansing, lighting and otherwise improving the Town of Belfast in the County of Antrim, and for better effecting those Purposes. [56 Geo. 3, c. 57.]
- CORK** - - -- An Act for the Regulation of the City of Cork, and for other Purposes therein mentioned relative to the said City. [12 Geo. 3, c. 18.]
- An Act for the better Regulation of the Police of the City of Cork, and for other Purposes relative to the said City. [17 & 18 Geo. 3, c. 38.]
- An Act for the more equal Assessment of Money presented to be raised by the Grand Jury of the County of the City of Cork, and for a new Valuation of the said City, and Survey of the Liberties thereof, and for other Purposes relative to Grand Juries. [53 Geo. 3, c. 111.] 211
- An Act to explain and amend an Act of His present Majesty, for the more equal Assessment of Money presented to be raised by the Grand Jury of the County of the City of Cork, and for a new Valuation of the said City, and Survey of the Liberties thereof, and for other Purposes relative to Grand Juries. [55 Geo. 3, c. 82.]
- DROGHEDA** - - -- An Act for the better regulating the Parish Watches and amending the Highways in this Kingdom, and for preventing the Misapplication of Public Money. [6 Geo. 1, c. 10.]
- An Act for continuing and amending an Act, intituled, "An Act for the better regulating the Parish Watches and amending the Highways in this Kingdom, and for preventing the Misapplication of Public Money;" and also for establishing a regular Watch in the City of Dublin, and to prevent Mischiefs which may happen by graving Ships in the River Liffey. [10 Geo. 1, c. 3.] 212
- An Act for continuing and amending an Act, intituled, "An Act for the better regulating the Parish Watches and amending Highways in this Kingdom, and for preventing the Misapplication of Public Money; and also for establishing a regular Watch in the City of Dublin, and to prevent Mischief which may happen by graving Ships in the River Liffey;" and also for regulating the Watch in the Town of Drogheda. [5 Geo. 3, c. 22.]
- LIMERICK** - - -- An Act for paving, cleansing, lighting and watching the Parish of St. Michael, in the Liberties of the City of Limerick, and adjoining the said City, and for preventing and removing Nuisances therein. [47 Geo. 3, Sess. 2, c. 75.]
- An Act for altering and enlarging the Powers of an Act of His present Majesty, for paving, cleansing, lighting and watching the Parish of St. Michael, in the Liberties of the City of Limerick, and adjoining the said City, and for preventing and removing Nuisances therein. [51 Geo. 3, c. 104.] 213
- LONDONDERRY** - - -- An Act for building a Bridge over the River Lough Foyle at the City of Londonderry, and the Suburbs thereof, and for certain Regulations relative to said City. [30 Geo. 3, c. 31.]

LONDONDERRY— (continued.)	-- An Act for amending an Act passed in the Thirtieth Year of His Majesty's Reign, intituled, "An Act for building a Bridge over Lough Foyle at the City of Londonderry, and the Suburbs thereof, and for certain Regulations relative to said City. [40 Geo. 3, c. 41.]
	-- An Act to amend two Acts, so far as relate to supplying the City of Londonderry with Water, improving the Harbour of the said City, and the Regulation of Pilots and Vessels using the same; and for extending the Jurisdiction of the Court held in the said City for the Recovery of Small Debts. [48 Geo. 3, c. 136.]
214	-- An Act for rebuilding or repairing a Bridge across the River Foyle or Lough Foyle at Londonderry; for enabling the Corporation of that City to raise Money for that Purpose; to authorize the Advance of a certain Sum of Money out of the Consolidated Fund of Ireland; and for regulating the Fairs and Markets and improving the Race Course there. [54 Geo. 3, c. 230.]
	-- An Act to amend an Act of the Thirtieth Year of his late Majesty, for lighting and improving the City of Londonderry. [5 Geo. 4, c. 152.] An Act to amend several Acts relating to the City of Londonderry. [6 Geo. 4, c. 180.]
	-- An Act to make more effectual Provisions for lighting, cleansing and watching the City of Londonderry, and to amend several Acts relating to the said City. [2 & 3 Will. 4, c. 107.]
215 SLIGO - -	-- An Act for repealing so much of an Act made in the Third Year of the Reign of King George the Second, intituled, "An Act for cleansing the Ports, Harbours and Rivers of the City of Cork, and of the Towns of Galway, Sligo, Drogheda and Belfast, and for erecting a Ballast Office in the said City and each of the said Towns," as relates to the Port and Harbour of the Town of Sligo; and for repealing an Act made in the Fortieth Year of the Reign of His present Majesty, intituled, "An Act for paving, cleansing, lighting and improving the Streets, Quays, Lanes and Passages in the Town of Sligo in the County of Sligo; for establishing a Nightly Watch in the said Town; for supplying the said Town with Pipe Water; and for improving and regulating the Port and Harbour thereof; and for making better Provision for the paving, lighting, watching, cleansing and improving of the said Town of Sligo; and for regulating the Porters and Carmen employed therein; and for the better Regulation and Improvement of the Port and Harbour thereof." [43 Geo. 3, c. 60.]
WATERFORD -	-- An Act for better regulating the Police of the City of Waterford. [23 & 24 Geo. 3, c. 52.]

A

B I L L,

[WITH THE AMENDMENTS MADE BY THE LORDS

INTITULED,

AN ACT for the Regulation of Municipal
Corporations and Borough Towns
Ireland.

*Ordered, by The House of Commons, to be Printed,
28 July 1838.*

[Price 1s. 9d.]

632.



(Ireland.)

A
B I L L

[WITH THE AMENDMENTS MADE BY THE LORDS, BY THE
COMMONS, AND BY THE LORDS.]

INTITULED,

AN ACT for the Regulation of Municipal Cor-
porations and Borough Towns in Ireland.

WH^{EREAS} divers Bodies Corporate at sundry times
have been constituted within the Cities, Towns and
Boroughs of Ireland, to the intent that the same might for ever be
and remain well regulated and quietly governed; and it is expedient
that the Charters by which several of the said Bodies Corporate are
constituted should be altered in the manner hereinafter mentioned;
BE it therefore Enacted, by The **QUEEN's** most Excellent **MAJESTY**,
by and with the Advice and Consent of the Lords Spiritual and
Temporal, and Commons, in this present Parliament assembled, and
by the Authority of the same, **THAT** so much of all Laws, Statutes
and usages, and so much of all Royal and other Charters, Grants
and Letters Patent, rules, orders and directions now in force relating
to the several Boroughs named in the Schedules (A.) and (B.) to
this Act annexed, or to the inhabitants thereof, or to the several
Bodies or reputed or late Bodies Corporate named in the said
Schedules, or any of them, as is inconsistent with or contrary to the
provisions of this Act, shall be and the same is hereby repealed
and annulled.

Preamble.

1.
Repeal of all
Acts, Char-
ters and
Customs in-
consistent
with this Act.

2.
Reservation
of all Rights
of Property
and beneficial
Exemptions
to Freeman,
their Wives
and Children.

And be it Enacted, That every person who now is or hereafter
may be an inhabitant of any Borough named in the said Schedules
(A.) and (B.), and also every person who has been admitted or who
might hereafter have been admitted a Freeman or Burgess of any
such Borough, if this Act had not been passed, otherwise than by
gift or purchase, or who now is or hereafter may be the wife, or

widow,

widow, or son, or daughter of any Freeman or Burgess, or of any person who might have been admitted a Freeman or Burgess of any such Borough as aforesaid, or who may have espoused or may hereafter espouse the daughter or widow of any such Freeman or Burgess, or of any such person as last aforesaid, or who has been or may hereafter be bound an apprentice to any such Freeman or Burgess or any such person as last aforesaid, shall have and enjoy and be entitled to acquire and enjoy the same share and benefit of the lands, tenements and hereditaments, and of the rents and profits thereof, and of the common lands and public stock of any such Borough or Body Corporate, and of any lands, tenements and hereditaments, and any sum or sums of money, chattels, securities for money, or other personal estate of which any person or any Body Corporate may be seised or possessed, in whole or in part, for any charitable uses or trusts, as fully and effectually, and for such time and in such manner as he or she, by any statute, charter, bye-law or custom in force at the time of passing this Act, might or could have had, acquired or enjoyed in case this Act had not been passed : Provided always, That the total amount to be divided amongst the persons whose rights are herein reserved in this behalf shall not exceed the surplus which shall remain after payment of the interest of all lawful debts chargeable upon the real or personal estate out of which the sums so to be divided have arisen, together with the salaries of Municipal Officers and all other lawful expenses which on the Fifth day of June One thousand eight hundred and Thirty-five were defrayed out of or chargeable upon the same : Provided also, That nothing hereinbefore contained shall be construed to apply to any claim, right or title of any Burgesses or Freemen, or of any person, to any discharge or exemption from any tolls or dues levied wholly or in part by or to the use or benefit of any Borough or Body Corporate ; and that after the passing of this Act no person shall have or be entitled to claim thenceforward any discharge or exemption from any tolls or dues lawfully levied, in whole or in part, by or to the use of any Body Corporate, except as hereinafter is excepted : Provided nevertheless, That every person who on the said Fifth day of June One thousand eight hundred and Thirty-five was an inhabitant, or was admitted, or was entitled to be admitted, a Freeman or Burgess of any such Borough, or who on the said Fifth day of June was the wife or widow, son or daughter of any Freeman or Burgess of any Borough, or who on the said Fifth day of June was bound an apprentice, shall be entitled to have or acquire and enjoy the same discharge or exemption from any tolls or dues lawfully levied, in whole or in part, by or to the use of any Borough or Body Corporate, as fully and for such time and in such sort as he or she by any statute, charter, bye-law, or custom in force on the said Fifth day of June might or would have had, acquired, and enjoyed the same if this Act had not been passed, and

and no further or otherwise: Provided also, That where by any statute, charter, bye-law or custom in force within any borough at the time of passing this Act any person whose rights in this behalf are herein reserved would have been liable, in case this Act had not been

5 passed, to pay any fine, fee or sum of money to any Body Corporate, or to any member, officer or servant of any Body Corporate, in consideration of his freedom, or of his or her title to such rights as are herein reserved, no such person shall be entitled to have or claim any share or benefit in respect of the rights herein reserved

10 as aforesaid until he or she shall have paid the full amount of such fine, fee or sum of money in manner following; (that is to say) if such rights be within any Borough named in the said Schedule (A.), or in any Borough to which a Charter of Incorporation shall have been granted as hereinafter is mentioned of the Boroughs

15 named in the said Schedule (B.) to the Treasurer of such Borough appointed under the provisions of this Act, on account of the Borough Fund hereinafter mentioned; but if such rights be within any Borough named in the said Schedule (B.) to which no such Charter of Incorporation shall have been granted, then to such person as

20 shall be appointed by the Lord Lieutenant to receive the same, to be applied to the public benefit of the inhabitants thereof: Provided also, That nothing in this Act contained shall be construed to entitle

any person to any share or benefit of the rights herein reserved who shall not have first fulfilled every condition which if this Act had

25 not passed would have been a condition precedent to his or her being entitled to the benefit of such rights, so far as the same is capable of being fulfilled, according to the provisions of this Act, or to strengthen, confirm or affect any claim, right or title of any Burgesses or Freemen of any Borough or Body Corporate, or of any

30 person, to the benefit of any such rights as are hereinbefore reserved, but the same in every case may be brought in question, impeached and set aside in like manner as if this Act had not been passed.

And be it Enacted, That from and after the passing of this Act no person shall be elected, made or admitted a Burgess or Freeman of

35 any such Borough as aforesaid by gift or purchase.

3.
No person to be admitted a Freeman by Gift or Purchase.

AND whereas the right of voting in the election of Members to serve in Parliament was by an Act passed in the Session of Parliament holden in the second and third years of the reign of his late Majesty, intituled, "An Act to amend the Representation of the

40 People of Ireland," preserved to all Freemen, Freeholders and persons who by reason of any Corporate or other right were then by law entitled to vote at the election of a Member or Members to serve in Parliament for any City, Town or Borough, and all persons who, by reason of birth, marriage or service, or of any statute then

4.
Persons who before the passing of the Act were entitled to vote for Members of Parliament may still enjoy that right.

in force, should be at any time thereafter admitted to their Freedom in any City, Town or Borough, subject to the conditions and provisions in that Act contained; BE it Enacted, That all persons now entitled to vote at the election of a Member or Members to serve in Parliament for any City, Town or Borough shall continue to enjoy 5 such right as fully as if this Act had not been passed; and that every person who, if this Act had not been passed, would have had a right to be admitted a Freeman, or to be placed on the roll of Freemen of any such Borough as aforesaid, in order to be registered, and to vote in the election of a Member or Members to serve in 10 Parliament, or might hereafter have been entitled to acquire in respect of birth, or marriage, or servitude, or of any statute then in force, as a Freeman, the right of voting in the election of a Member or Members to serve in Parliament for such Borough, shall be entitled, if such Borough be one of the Boroughs named in the said 15 Schedule (A.), or one of the Boroughs to which a Charter of Incorporation shall have been granted, as hereinafter is mentioned, to be admitted a Freeman and placed on the roll of Freemen of such Borough, and to acquire and enjoy such right of voting as fully as if this Act had not been passed; and if such Borough be one of the 20 Boroughs named in the said Schedule (B.) to which no such Charter of Incorporation as aforesaid shall have been granted, to acquire and enjoy, without having been admitted a Freeman, such right of voting as fully as if this Act had not been passed, and he had been admitted a Freeman, provided he shall be enrolled on the Freeman's Roll in 25 any such City, Town or Borough, according to the provisions hereinafter contained; and in every such Borough as last aforesaid the Lord Lieutenant of Ireland shall appoint a fit person to make out a list to be called the Freeman's Roll; and whenever any person who if this Act had not passed would have been entitled to be admitted 30 to his freedom in such Borough by reason of birth, marriage or service, shall claim to be enrolled upon such roll, the person so appointed shall examine into such claim, and upon such claim being established shall enrol the name of such claimant upon the roll, and shall keep a true copy of such roll, to be perused by any 35 person, without payment of any fee, at all reasonable times, and shall deliver a copy thereof or extract therefrom to any person requiring the same, on payment of a reasonable price for such copy.

5.
Corporations
to be styled
Mayor, Alder-
men and
Burgesses.

And be it Enacted, That after the first election of Councillors 40 under this Act in any Borough named in the said Schedule (A.) the Body or reputed or late Body Corporate named in the said Schedule in connexion with such Borough, shall take and bear the name of the Mayor, Aldermen and Burgesses of such Borough, except the Corporation of Dublin, which shall bear the name of the Right Honourable

Honourable the Lord Mayor, Aldermen and Burgesses of Dublin, and by those names shall have perpetual succession, and shall be capable in law, by the Council hereinafter named of such Borough, to do and suffer all acts which such Bodies Corporate lawfully may do and suffer, and shall be entitled to, invested with and possessed of all the lawful rights, trusts, powers, authorities, properties and estates now or of late legally vested in or belonging or which of right ought to belong to such Boroughs or Bodies Corporate respectively, solely or jointly with any other person or Body Corporate, save only and except those subject to any charitable uses or trusts, and those in respect of which other provisions are hereinafter contained; and the Mayor of each of the said Boroughs shall be capable in law to do and suffer all acts which the chief officer of such Borough might or may lawfully do and suffer, so far as such powers, rights, trusts and privileges respectively are not altered or annulled by the provisions of this Act.

And be it Enacted, That every Borough in the said Schedule (A.) shall be divided into the number of Wards mentioned in such Schedule in conjunction with the name of such Borough, and that the limits and boundaries of the several Boroughs named in the said Schedule (A.) and of the Wards into which the said Boroughs named in the said Schedule (A.) are to be divided, shall, for the purposes of this Act, be taken and held to be according to the description and specification of such limits and boundaries set forth and contained in Schedule (C.) to this Act annexed, and all the houses, lands and hereditaments within the boundaries therein specified shall hereafter for the purposes of this Act be parts of the said Boroughs: Provided always, That the following rules shall be observed in the construction of the several descriptions of boundaries contained in the said Schedule (C.) hereunto annexed; (that is to say)

6.
Boundaries
of Boroughs
and Towns.

1.—That the words “Northward,” “Southward,” “Eastward,” “Westward,” shall respectively be understood to denote only the general direction in which any boundary proceeds from the point last described, and not that such boundary shall continue to proceed throughout in the same direction to the point next described:

Rules for the
construction
of the De-
scriptions
contained in
the Schedule
(C.)

2.—That when any road is mentioned merely by the name of the place to which such road leads, the principal road thither from the Borough of which the boundary is in course of description shall be understood:

3.—That whenever a line is said to be drawn from, to, through or in the direction of any distance to be measured from or to an object, such line shall, in the absence of any direction to the contrary, be understood to be drawn from, to, through or in

the direction of, or such distance to be measured from or to the centre of such object, as nearly as the centre thereof can be ascertained :

- 4.—That every building through which or through any part whereof any boundary hereby established shall pass shall be considered as within such boundary : 5
- 5.—That whenever any boundary by this Act established is said to pass along any other boundary, or along any street, road, lane, path, river, stream, canal, drain, brook or ditch, the middle (as near as the same can be ascertained) of such other boundary, or of such road, lane, path, river, stream, canal, drain, brook or ditch shall, in the absence of any direction to the contrary, be understood : 10
- 6.—That the middle of any street, road or lane shall be understood as the middle of the carriage-way along the same : 15
- 7.—That when any boundary by this Act established is said to proceed or any distance to be measured, along a street, road, lane, path, stream, river, canal or drain, from or to any object, such boundary shall be understood to proceed, or such distance to be measured, (as the case may be,) from or to that point in the middle of such road, lane, path, river, stream, canal or drain from which the shortest line would be drawn to the centre of such object, as nearly as the centre thereof can be ascertained : 20
- 8.—That the point at which any fence, hedge, wall, boundary, street, road, lane, walk, path, river, stream, canal, drain, brook or ditch is said to cut, meet, join, cross, reach or leave any boundary, street, road, lane, path, wall, walk, river, stream, canal, drain, brook or ditch shall, in the absence of any direction to the contrary, be understood as that point at which a line passing along the middle of the boundary, street, road, lane, path, wall, walk, river, stream, canal, drain, brook or ditch, so cut, met, joined, crossed, reached or left would be intersected by a line drawn along the middle of the fence, hedge, wall, boundary, street, road, lane, walk, path, river, stream, canal, drain, brook or ditch, so cutting, meeting, joining, crossing, reaching or leaving, if such line were prolonged sufficiently far : 25 30 35
- 9.—That when a line is said to be drawn to a road, lane, river, stream or canal, such line shall, in the absence of any direction to the contrary, be considered as prolonged to the middle of such road, lane, river, stream or canal : 40
- 10.—That by the words “ Sea ” and “ Sea Coast ” shall be understood the low-water mark :

11.—That

11.—That if any deficiency shall be found to exist in the line of any boundary described in the said Schedule to this Act annexed, by reason of the intervention of any space between any two immediately consecutive points, such deficiency shall be supplied by a straight line to be drawn from the one to the other of such two immediately consecutive points.

And be it Enacted, That for the purposes of this Act all places locally situate or included within the boundaries of any Borough or of any Ward thereof, as defined under this Act, shall be deemed and taken to be a part or parts of such Borough or of such Ward thereof respectively; and in those Boroughs which are Counties of themselves shall be part of such County and of none other; and in every case in which the metes and bounds of any Borough or County, under the provisions of this Act, shall not include any place or precinct which before the passing of this Act was part of such Borough or County, such place or precinct shall thenceforward be taken to be part of the County wherein such place or precinct is situated, or with which it has the longest common boundary: Provided nevertheless, That if any such place or precinct shall have been liable before the passing of this Act to contribute to any rate made for the purpose of satisfying any lawful debt to which the rate-payers of such Borough or County were liable to contribute before the passing of this Act, and in case any difference shall arise concerning the proportion of such debt which ought therefore to be paid and contributed in respect of such place or precinct, it shall be lawful for the Chief Justice of Her Majesty's Court of Queen's Bench in Dublin, in the case of the County of Dublin, and the County of the City of Dublin, and in the case of any other County, for the senior Justice of Assize for the County of which such place or precinct shall thenceforward be taken to be part on his circuit, on the application of the Council of such Borough, or of the Chairman of a public meeting of the rate-payers of such place or precinct to appoint, by writing under his hand, a Barrister not having any interest in the question, to arbitrate between the parties, and by his award, under his hand and seal, to assess the proportion, if any, of such debt which ought therefore to be paid and contributed in respect of such place or precinct; and such arbitrator shall also assess the costs of the arbitration, and shall direct by whom and in what proportion, and out of what fund, the same shall be paid; and such rate as aforesaid shall continue to be levied by warrant of the Council of such Borough, and paid by such place or precinct as if this Act had not passed, until such proportion shall have been fully paid and satisfied to the Treasurer of the Borough, and no longer: Provided nevertheless, That every County Gaol, House of Correction or Lunatic Asylum, or Court of Justice, which at the time of the

7.
Places only included within the Boundaries for the purposes of this Act.

Parts cut off from the Borough to be declared part of the adjoining County.

passing of this Act is taken to be for any purpose within any County, shall still for all such purposes be taken to be within such County, any thing herein contained to the contrary notwithstanding : Provided also, That the jurisdiction of the several Courts of the Boroughs named in the said Schedule (A.) shall extend to all places 5 within the limits and boundaries of such Boroughs as defined under this Act, and also to all places within the limits and boundaries of such Boroughs and the liberties thereof as they are at present constituted, or are now taken to be, by virtue of any charter or usage, any thing herein contained to the contrary thereof in anywise not- 10 withstanding.

8.

Misnomer or Misdescription not to abridge operation of this Act, and description to relate to 1st March 1836.

Provided always, and be it Enacted, That no misnomer or inaccurate description contained in this Act, or in the Schedule (C.) hereto annexed, shall in anywise prevent or abridge the operation of this Act, with respect to the subject of such description, provided the 15 same shall be designated so as to be commonly understood ; and that for the purpose of identifying the descriptions contained in the said Schedule with the subject of such descriptions respectively, such descriptions shall, if such construction should be necessary, be held to apply to such subjects as they existed on the First day of March 20 One thousand eight hundred and Thirty-six.

9.

Mayor to set up Boundary Marks within Six Months after the first Election under this Act ;

AND whereas it is expedient that the metes and bounds of the several Boroughs, and of the several Wards into which the same are by this Act respectively divided, as described in the Schedule (C.) to this Act annexed, should be constantly maintained, and that the same 25 should be generally known ; BE it Enacted, by the authority aforesaid, That the Mayor of each of the said Boroughs respectively, within Six calendar Months after the first election of Municipal Officers to be held under this Act, shall cause to be set up, at the expense of the Body Corporate of which he is Mayor, permanent and conspicuous 30 boundary marks of iron, wood, stone or other durable material, in exact conformity with, or as near as circumstances will admit, to the respective metes and bounds of such Boroughs and the several Wards thereof specified in the Schedule (C.) to this Act annexed, and in the most public and convenient places along or near the line 35 of such metes and bounds ; and further, within the period of Six Calendar Months after the expiration of every successive period of Three Years after the first election of Municipal Officers to be held under this Act, a circuit of perambulation of the metes and bounds of such Boroughs respectively, and of the several Wards into which the same are by this Act respectively divided, as settled and described in the said Schedule (C.) to this Act annexed, shall be made by the Mayor for the time being of such Borough respectively, accompanied by the Town Clerk thereof ; and the Town Clerk shall, at 40 the

and with the Town Clerk to perambulate the Boundaries once in every Three Years thereafter.

Town Clerk to enter in a

the time of making such perambulation, inquire whether the name or names whereby the same metes and bounds or any part thereof are or is described in the said Schedule (C.) to this Act annexed have or has been changed, and by what name or description the same are or is there commonly known and distinguished, and if any change in the description thereof shall have taken place, shall note the same in a book to be kept by him for that purpose, and to be called the "Boundary Book" of such Borough; and the Mayor is hereby required, in the event of any such boundary mark or marks as aforesaid being obliterated or defaced, to cause the same to be renewed at the expense of the Body Corporate, within Three calendar Months next after such perambulation as aforesaid.

Book to be kept for that purpose any change in the name or description of the Boundaries.

Mayor to replace any Boundary Marks effaced or destroyed.

And be it Enacted, That if any such Mayor or Town Clerk shall neglect to perform the duties hereinbefore described, such Mayor or Town Clerk shall forfeit the sum of Twenty Pounds to Her Majesty, to be recovered by action in any one of the superior courts at Dublin, or by civil bill in any Court of Record having jurisdiction within such Borough respectively.

10.
Mayor or Town Clerk neglecting, to forfeit 20 £.

And be it Enacted, That if any person or persons shall wilfully or maliciously pull down, deface, obliterate, injure, conceal or destroy any such boundary marks as aforesaid, such person or persons shall for every such offence forfeit and pay, in addition to the value of such boundary mark or marks as aforesaid, any sum not exceeding Forty Shillings, to be recovered, paid and levied according to the provisions in this Act contained relative to offences against this Act punishable upon summary conviction.

11.
Penalty for defacing or injuring, &c. Boundary Marks; the value thereof, and any sum not exceeding 40s. for each offence, to be recovered as other Penalties under this Act.

And be it Enacted, That the several Wards into which the several Boroughs in the Schedule (C.) to this Act annexed mentioned are by this Act respectively divided, shall henceforth be denominated and distinguished by the name and names by which in such Schedule such Wards are specified and described in conjunction with the names of such Boroughs respectively, and by no other name or names.

12.
Wards to be denominated by the names in the Schedules.

And be it Enacted, That after this Act shall have come into operation in any Borough named in the said Schedule (A.), every man of full age, who on the last day of August in any year shall be an inhabitant householder, and shall for Six calendar Months previous thereto have been resident as such within such Borough, or within Seven statute Miles of such Borough, and who shall occupy within such Borough any house, warehouse, counting-house, office, or shop, which either separately, or jointly with any land within such Borough occupied therewith by him as tenant, or occupied therewith by him as owner, shall be of the yearly value of not less than

13.
Occupiers of Houses and Shops of the value of 10 £., to be ascertained by Rating, entitled to be Burgesses, if resident within Seven Miles.

Ten Pounds to be ascertained and determined as hereinafter mentioned, shall, if duly enrolled according to the provisions hereinafter contained, be a Burgess of such Borough, and a member of the Body Corporate of the Mayor, Aldermen and Burgesses of such Borough ; and such yearly value shall be ascertained and determined in manner following, and not otherwise ; (that is to say) such value shall be a sum composed of the net annual value at which the premises so occupied by such man shall be rated (as they are hereby required to be) to the relief of the poor under an Act passed in the present Session of Parliament, and of the amount of the sums at which the landlord's repairs and the landlord's insurance shall be estimated and stated in any rate to be made in pursuance of the said Act : Provided always, That no such occupier shall be admitted to be enrolled under this Act unless he shall have occupied such premises within said Borough, or other premises of the like nature within the said Borough, and rated as aforesaid, for the space of Twelve calendar Months at the least next preceding such last day of August ; nor unless such occupier shall, on or before the last day of August in such year, have paid or discharged all rates for the relief of the poor, and all municipal or other local cesses, and all rates and taxes which shall have become payable by him in respect of such premises, except such as shall have been imposed or become payable within Three calendar Months next before such last day of August : Provided also, That no person being an alien shall be so enrolled, and that no person shall be enrolled who within Twelve calendar Months next before the said last day of August shall have received relief by order of any Board of Guardians or of any paid officer to be appointed by virtue of the said Act for the relief of the poor, or any pension or charitable allowance from any fund intrusted to the charitable Trustees of such Borough hereinafter mentioned, other than medical or surgical assistance ; but no person shall be disqualified from being enrolled as a Burgess by reason that any child of such person shall have been admitted and taught within any public or endowed school.

14.
In cases where persons occupy Premises jointly, each person to be entitled to be enrolled as a Burgess.

And be it Enacted, That where any premises as aforesaid in any Borough named in the said Schedule (A.) shall be jointly occupied by more persons than one; as owners or tenants, each of such joint occupiers shall, subject to the conditions hereinbefore contained as to persons occupying premises in any Borough, be entitled to be enrolled as a Burgess for such Borough in respect of the premises so jointly occupied, in every case where the full yearly value of such premises shall be of an amount which, when divided by the number of such occupiers, shall give for each occupier a sum not less than the sum which would entitle such person to be enrolled if he occupied separately, but not otherwise.

And

And be it Enacted, That in every case provided in this Act the distance of Seven Miles shall be computed by the nearest public road or way by land or water.

15.
How distances are to be reckoned.

And be it Enacted, That where any house, warehouse, office, counting-house or shop in any Borough named in the said Schedule (A.) shall come to any person by descent, marriage, marriage settlement, devise, bequest or promotion to any benefice or office, such person shall be entitled to reckon the rating and occupancy thereof by the person from or by whom such house, warehouse, office, counting-house or shop shall have so come to him as his own rating and occupancy, conjointly with the time during which he shall have since occupied and been rated for the same, and shall be entitled to be enrolled a Burgess in respect of such successive rating and occupancy, provided he shall be otherwise qualified as herein provided; and it shall not be necessary, in support of the title of such person to be so enrolled, to prove that he was an inhabitant householder within the said Borough, or within Seven Miles of the said Borough, or that he was an occupant or rated within the same, before the title to such house or other property as aforesaid shall have devolved upon him; and the rating in the name of the person previously occupying shall be considered a sufficient rating of the person so entitled, until a new rate shall be made subsequent to such devolution of title as aforesaid: Provided always, That the other person in respect of whose previous occupancy and rating he shall be so partially entitled shall have been enrolled a Burgess at the time of such devolution of title as aforesaid.

16.
In case of Titles by descent, &c. how the occupation is to be reckoned.

And be it Enacted, That after the passing of this Act no person shall be elected or enrolled a Burgess of any Borough for the purpose of enjoying the rights conferred for the first time by this Act in respect of any right or title other than by residence, occupancy, rating and payment of cesses, rates and taxes within such Borough, according to the meaning and provisions of this Act.

17.
No Burgess to be elected who is not qualified under this Act.

And be it Enacted, That on or before the Fifth day of September in the First year in which this Act shall come into operation in any Borough named in the said Schedule (A.) the Churchwardens of every Parish wholly or in part within such Borough shall make out from the assessment to be made of hereditaments within such Parish and Borough under the said Act passed in the present Session of Parliament for the Relief of the destitute Poor of Ireland, an alphabetical List, according to the Form Number 1, in the Schedule (D.) to this Act annexed, of all persons, with their respective residences, who shall be entitled to be enrolled in the Burgess Roll according to the Provisions of this Act, in respect of property within

18.
Churchwardens of each Parish to make out Lists in the first year of persons qualified as Burgesses in each Borough.

such Parish and Borough, and shall sign such List, and deliver the same on the said Fifth day of September to the Town Clerk, and shall keep a true copy of such List, to be perused by any person, without payment of any fee, at all reasonable hours between the said Fifth and the Fifteenth days of September aforesaid.

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19.
Collectors to
make out
Lists of per-
sons subject to
payment of
Poor-rate,
&c., according
to Schedule
(D.), No. 6 in
this Act.

And be it Enacted, That the several and respective Collectors of the Poor Rates, and of all other cesses, rates and taxes payable within any Borough named in the said Schedule (A.), shall, on or before the Third day of September in every year, make out or cause to be made out, according to the Form numbered 6, in the said Schedule (D.) to this Act annexed, an Alphabetical List of all persons who shall be subject to the payment of such poor rate, cesses, rates or taxes within the limits of such Borough, and within the collection of the person by whom or by whose direction the same shall be made out; and every such Collector shall sign the List so be made out for his collection, and shall cause a true copy of such List to be prepared, and shall keep the same to be perused by any person, without payment of any fee, at all reasonable hours during the Ten Days next after the same Third day of September; and every such Collector shall, on the same Third day of September, deliver the List so signed by him as aforesaid to the Town Clerk of such Borough, and such Town Clerk shall forthwith cause to be printed true copies of every such List; and shall deliver one or more of such respective printed copies to any person applying for the same, on payment of a reasonable price for each copy.

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20.
Extra-paro-
chial Places,
&c.

And be it Enacted, That in any Borough named in the said Schedule (A.) in which there shall be no Town Clerk, or in which the Town Clerk shall be incapable of acting, all matters by this Act required to be done by or with regard to the Town Clerk shall be done by and with regard to the person executing duties in such Borough similar to those of Town Clerk; and if there be no such person, or if such person be incapable of acting, then by and with regard to such fit person as the Mayor of such Borough shall appoint in that behalf; and if there shall be no Mayor, the Lord Lieutenant shall appoint, by writing under his hand, a proper person to perform the duties required to be done by and with regard to the Town Clerk under this Act; and in extra-parochial places, and in Parishes where there is no Churchwarden, or where the Churchwarden may be absent or incapable of acting, the Lord Lieutenant shall appoint, by writing under his hand, a proper person to perform the duty of Churchwarden under this Act, and the acts of such person shall be as valid as if done by a Churchwarden.

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35

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And

And be it Enacted, That on or before the Fifth day of September in every year except the first in which this Act shall come into operation in any Borough named in the said Schedule (A.) the Town Clerk of such Borough shall make out an alphabetical List according to the said Form Number 1, in the Schedule (D.) to this Act annexed of all persons who shall be entitled to be enrolled in the Burgess Roll of that year within such Borough, and shall sign such List, and shall on that day deliver a true copy of such List, signed by himself, to the Mayor of such Borough, and shall himself keep such original List to be perused by any person, without payment of any fee, at all reasonable hours between the Fifth and the Fifteenth days of September in every year.

21.
Town Clerks
to make out
Lists in
Boroughs in
following
years.

And be it Enacted, That the Town Clerk shall forthwith cause copies to be printed of all Lists so delivered to him by the Churchwardens in the first year, and of all Lists made out by himself or under his direction in every succeeding year, and shall deliver a copy of all such Lists to any person requiring the same, on payment of a sum of One Shilling for each copy, and shall cause a copy of all such Lists to be fixed on or near the outer door of the Town Hall or in some public and conspicuous situation within the Borough on every day during the Eight Days next preceding the Fifteenth day of September in every year.

22.
Town Clerk
to print the
Lists.

And be it Enacted, That every person whose name shall have been omitted in any such List, and who shall claim to have his name inserted on the Burgess Roll, shall, on or before the Fifteenth day of September in every year, give notice thereof to the Town Clerk in writing, according to the Form Number 2, in the said Schedule (D.), or to the like effect; and every person whose name shall have been inserted in any such List for any Borough may object to any other person as not being entitled to have his name retained in the Burgess Roll for the same Borough; and every person so objecting shall, on or before the Fifteenth day of September in every year, give to the Town Clerk of such Borough, and also to the person objected to, or leave at the premises in respect of which his name shall have been inserted in such List, notice thereof in writing according to the Form Number 3, in the said Schedule (D.), or to the like effect; and every Town Clerk shall include the names of all persons so claiming in a List according to the Form Number 4, in the said Schedule (D.), and the names of all persons so objected to in a List according to the Form Number 5, in the said Schedule (D.), and shall cause copies of such Lists to be fixed on or near the outer door of the Town Hall, or in some public and conspicuous situation within such Borough during the Eight days next preceding the First day of October in every year; and the Town Clerk shall likewise keep a copy of the

23.
Persons
omitted from
the Lists to
give Notice
to the Town
Clerk.

Notices as to
Persons not
entitled to be
retained in
the Lists.

Lists of
Claimants,
and of Persons
objected to, to
be published,
&c.

names of all the persons so claiming as aforesaid, and also a copy of the names of all persons so objected to as aforesaid, to be perused by any person, without payment of any fee, at all reasonable hours, during the Eight days, Sunday excepted, next preceding the First day of October in every year, and shall deliver a copy of each of such Lists to any person requiring the same, on payment of a sum not exceeding One Shilling for each copy. 5

24.
Lord Lieu-
tenant may
appoint Re-
vising Barris-
ter for the
present year.

And be it Enacted, That it shall be lawful for the Lord Lieutenant of Ireland to appoint by warrant under his hand so many Barristers of not less than Five Years' standing at the bar as he shall think fit to revise the List of Burgesses in any Borough in the first year in which this Act shall come into operation in that Borough; and the Barrister so appointed shall, for that purpose, be in the place and stead of the Mayor and Assessors hereinafter mentioned of such City, Town or Borough, and shall revise the List of Burgesses, and have for that purpose all such powers as the Mayor or Mayor and Assessors will possess in the succeeding years. 10 15

25.
Mayor to
revise Lists,
and upon due
proof to insert
and expunge
Names.

And be it Enacted, That in the first year in which this Act shall come into operation in any Borough named in the said Schedule (A.) the Barrister appointed as aforesaid, and in every succeeding year the Mayor and the Two Assessors hereinafter mentioned of the Borough, shall hold an open Court within such Borough for the purpose of revising the said Lists, at some time between the First day of October inclusive and the Fifteenth day of October inclusive in every year, having first given Three clear Days' notice of the holding of such Court, to be fixed on or near the door of the Town Hall, or in some public and conspicuous situation within the Borough; and the Town Clerk of every such Borough shall at the opening of the Court produce the said Lists before him or them, and a copy of the Lists of the persons claiming and of the persons objected to, so made out as aforesaid; and the several Churchwardens for the present year of every parish wholly or in part within every such Borough shall attend the Court to be holden in this present year; and such Town Clerk and Churchwardens respectively shall answer upon oath all such questions as the Court may put to them or any of them touching any matter necessary for revising the said Lists; and the Mayor or Barrister, as the case may be, shall insert in such Lists the name of every person who shall be proved to the satisfaction of the Court to be entitled to be enrolled in the Burgess Roll according to the provisions of this Act, and shall retain on the said Lists the names of all persons to whom no objection shall have been duly made and sustained; and where the name of any person inserted in any one of the said Lists shall have been duly objected to, and the person objecting shall appear by himself or by some 30 35 40

one on his behalf in support of such objection, the Court shall require proof of the qualification of the person so objected to; and in case the qualification of such person shall not be proved to the satisfaction of the Court, the Mayor or Barrister, as the case may be, shall expunge the name of every such person from the said Lists; and he shall also expunge from the said Lists the name of every person who shall be proved to be dead, and shall correct any mistake or supply any omission which shall be proved to have been made in any of the said Lists in respect to the name or place of abode, or local description of the property of any person who shall be included in any such List: Provided always, That no person's name shall be inserted by the Mayor or Barrister in any such List, or shall be expunged therefrom, except in the case of death, unless notice shall have been given as is hereinbefore required in each of the said cases: Provided also, That no ground of objection shall be inquired into at any such Court other than is stated in some notice so given as aforesaid: Provided also, That the fact of the name of any person having been on the Burgess Roll of the preceding year shall be *prima facie* evidence of his title to be enrolled for the current year.

Power to rectify mistakes in the Lists.

And be it Enacted, That every Mayor or Barrister holding any Court under this Act for the revision of the said Lists shall have power to adjourn the same from time to time, so that no such adjourned Court shall be held after the Fifteenth day of October in any year, and shall have power to require any High Constable, Churchwarden or other person authorized to applot, collect or levy any rate for the relief of the poor, cess, rate or tax within the Borough or within any Parish wholly or in part within the Borough, or other person or persons having the custody of any book of applotment or rate of valuation to produce the same, and allow the same to be inspected at any Court to be held for revision of the Burgess Roll, and shall have power to administer an oath to the Town Clerk and Churchwardens, and to all persons claiming to be inserted in or making objection to the omission or insertion of any name in the said Lists, and to all persons objected to in any of such Lists, and to all persons claiming to have any mistake in any such Lists corrected, and to all witnesses who may be tendered or examined on either side; and if any person taking any oath or making any affirmation under this Act shall wilfully swear or affirm falsely, such person shall be deemed guilty of Perjury, and shall be punished accordingly; and the Mayor and Assessors or Barrister shall, upon hearing in open Court, determine upon the validity of such claims and objections; and the Mayor or Barrister shall, in open Court, write his initials against the names respectively struck out or inserted, and against any part of the said

26.
Mayor, on revising the Lists, to have power of adjourning, of administering Oaths, &c., and shall settle and sign the Lists in open Court.

Lists in which any mistake shall have been corrected, and shall sign his name to every page of the several Lists so settled.

27.
Borough List
to be kept by
the Town
Clerk, and
copied into
Books, with
the Names
numbered.

Such Book to
be the Regis-
ter of Voters
from which
Election shall
be made.

And be it Enacted, That the Lists so revised and signed as last aforesaid shall be delivered by the Mayor or Barrister to the Town Clerk of such Borough, who shall keep the same, and shall cause the said Lists to be fairly and truly copied into one general Alphabetical List in a book to be by him provided for that purpose, with every name therein numbered, beginning the numbers from the first name, and continuing them in a regular series to the last name, and shall cause such Book to be completed on or before the Twenty-second day of October in every year, and shall deliver such Book, together with the Lists, at the expiration of his office, to the person succeeding him in such office; and every such Book shall be the Burgess Roll of the Burgesses of such Borough entitled to vote after the passing of this Act in the choice of the Aldermen and Councillors, Assessors and Auditors of such Borough as hereinafter mentioned, at any election which may take place in such Borough between the Twenty-fifth day of October inclusive in the year wherein such Burgess Roll shall have been made and the Twenty-fifth day of October in the succeeding year, or until a new Burgess Roll shall have been made.

28.
No Stamp
Duty payable
on Enrolment.

And be it Enacted, That no Stamp Duty shall be payable in respect of the admission, registry or enrolment of any Burgess, according to the provisions of this Act.

29.
Applications
may be made
to the Court
of Queen's
Bench for a
Mandamus
to put a
Burgess on
the Roll.

And be it Enacted, That it shall be lawful for any person whose claim shall have been rejected or name expunged at the revision of the Burgess Roll of any of the said Boroughs to apply before the end of the Term then next following to the Court of Queen's Bench for a Mandamus to the Mayor for the time being of that Borough to insert his name upon the Burgess Roll, and thereupon for the Court to inquire into the title of the applicant to be so enrolled; and if the Court shall award such Mandamus, the Mayor shall be bound to insert the name upon the Burgess Roll, and shall add thereunto the words "By Order of the Court of Queen's Bench," and shall subscribe his name to such words; and the Town Clerk shall be bound to produce the said Burgess Roll to the Mayor for that purpose; and thereupon the person whose name shall be so added to the Burgess Roll shall be deemed a Burgess, and entitled to vote and act as a Burgess in all respects as if his name had been put upon the Burgess Roll by the Barrister or Mayor and Assessors; and upon every such application the Court shall have power to make such Order with respect to the Costs as to the Court shall seem fit.

And

And be it Enacted, That if any such Mayor or Assessor shall wilfully and corruptly disallow the claim of any person who shall be duly entitled, or wilfully and corruptly allow the claim of any person who shall not be duly entitled to be enrolled on the Burgess Roll, or
5 if any such Mayor shall wilfully and corruptly expunge the name of any person duly entitled, or wilfully and corruptly insert or retain in such List the name of any person who shall not be duly entitled to be enrolled on such Burgess Roll, every Mayor or Assessor so offending shall be liable to be sued by way of civil bill in an action of debt
10 for the penal sum of Fifty Pounds for every name so wilfully and corruptly allowed, disallowed, expunged, inserted or retained, at the suit of any Burgess of the said Borough who shall sue for the same in the Court of the Assistant Barrister, Chairman or Recorder having jurisdiction by way of civil bill within such Borough ; and
15 the Defendant in such action respectively, being convicted, shall pay such penal sum so awarded, with full costs of suit, to the party who may sue for the same ; and if any Mayor, Town Clerk or Churchwarden shall wilfully neglect to make out such Lists, or wilfully omit the name of any person which ought to be inserted
20 thereon, or wilfully insert in or retain on such Lists the name of any person which ought not to be inserted thereon, or wilfully neglect or refuse to perform the duties or any part thereof by this Act imposed upon him or them respectively, he shall be deemed guilty of a Misdemeanor, and may be indicted and punished accordingly.
25

30.
Penalty for wilfully and corruptly expunging or not inserting any Name.

Mayor, Town Clerk, or Churchwarden neglecting duty, guilty of a Misdemeanor.

And be it Enacted, That the Town Clerk of every Borough named in the said Schedule (A.) shall cause to be written or printed copies of the Burgess Roll in every year, and shall deliver such copies to all persons applying for the same, on payment of a reasonable price
30 for each copy ; and the monies arising from the sale thereof, and of the Churchwardens and Town Clerks' Lists, and of the Lists of Claims and Objections as aforesaid, shall be paid over to the Treasurer of such Borough, and shall be applied by him in aid of the Borough Fund hereinafter mentioned ; and the Town Clerk of every
35 Borough shall, on or before the First day of December next after this Act shall come into operation in that Borough, make out a List, to be called "The Freeman's Roll," of all persons who at the time of the passing of this Act shall have been admitted as Freeman of such Borough ; and that whenever any person
40 shall be or thereafter become entitled to be admitted a Freeman of such Borough in respect of birth, servitude or marriage, and shall claim to be admitted accordingly, the Mayor of such Borough shall within Seven Days after the making thereof examine into such claim, and upon such claim in respect of birth, servitude or marriage being established every such person shall thereupon be
712. admitted

31.
Copies of Burgess Roll to be made for Sale.

admitted and enrolled by the Town Clerk of such Borough upon the said Freeman's Roll ; and the Town Clerk shall keep a true Copy of such Roll, to be perused by any person, without payment of any fee, at all reasonable times, and shall deliver a copy thereof or extract therefrom to any person requiring the same, on payment 5
of a reasonable price for such copy.

32.
List of Bur-
gesses of
each Ward
to be made
out annually.

And be it Enacted, That for the purpose of better ascertaining who are the Burgesses of any such Ward, the Burgess Roll of every Borough so divided into Wards shall thenceforward yearly be made out, by or under the direction of the Town Clerk, in alphabetical 10
Lists of the Burgesses in each Ward, to be called " Ward Lists."

33.
Expenses of
Lists how to
be defrayed.

And be it Enacted, That the Council of every Borough named in the said Schedule (A.) shall take an account of the reasonable ex-
penses incurred in carrying into effect the several provisions of this Act, so far as relates to the said Lists, and shall order the Trea- 15
surer of such Borough to pay the same out of the Borough Fund of the said Borough.

34.
Mayor, Alder-
men and
Councillors to
be chosen in
every Borough.

And be it Enacted, That in every Borough named in the said Schedule (A.) there shall be elected, at the time and in manner here-
inafter mentioned, One fit person, who shall be and be called " The 20
Mayor " of such Borough ; and in the different Wards of every such Borough there shall be elected at the time and in the manner hereinafter mentioned a certain number of fit persons, who shall be and be called
" The Aldermen " of such Borough, and a certain number of other fit 25
persons, who shall be and be called " The Councillors " of such Borough ; and the number of persons to be so elected Aldermen and Council-
lors of such Borough shall be the number of persons in that behalf mentioned in conjunction with the name of such Borough in the Schedule (A.) to this Act annexed ; and such Mayor, Aldermen and 30
Councillors for the time being, or so many of them as shall at any time be elected and have accepted the offices, shall be and be called
" The Council of such Borough."

35.
Who not
qualified to be
chosen Mayor,
Alderman or
Councillor.

And be it Enacted, That no person being in Holy Orders, or being the regular Minister of any Dissenting Congregation, shall be qualified to be elected, or to be a Councillor or an Alderman of any 35
Borough ; nor shall any person be qualified to be elected or to be a Councillor or an Alderman of any Borough named in said Sched-
ule (A.) to this Act annexed, who shall not be entitled to be on the Burgess List of such Borough, nor unless he shall be seised or pos-
sessed of real or personal estate, or of both, of the clear value 40
of One thousand Pounds above what will satisfy his debts, or shall occupy, and shall for Twelve Months next previous have occupied,
a house of the clear yearly value of Twenty-five Pounds or upwards,
situate

situate within the Borough ; nor shall any person be qualified to be elected or to be a Councillor or an Alderman of any Borough named in the said Schedule (B.) to this Act annexed who shall not be entitled to be on the Burgess List of the Borough for which he is
5 elected, nor unless he shall be seised or possessed of real or personal estate, or of both, of the clear value of Five hundred Pounds above what will satisfy his debts, or shall occupy, and shall for Twelve Months next previous have occupied, a house of the clear yearly value of Fifteen Pounds or upwards, situate within the Borough ; nor
10 shall any person be qualified to be elected, or to be a Councillor or an Alderman of any such Borough during such time as he shall hold any office or place of profit, other than that of Mayor, in the gift or disposal of the Council or charitable Trustees of such Borough, or while he is an uncertificated bankrupt, or during such time as he
15 shall have, directly or indirectly, by himself or his partner, any share or interest in any contract or employment with, by or on behalf of such Council or charitable Trustees ; provided that no person shall be disqualified from being a Councillor or Alderman of any Borough as aforesaid by reason of his being a proprietor or share-
20 holder of or in any Company which shall contract with the Council of such Borough for lighting or supplying with water any part of the said Borough, or insuring against fire any property therein.

And be it Enacted, That every Burgess of any Ward in any Borough who shall be enrolled on the Burgess Roll for the time being of such
25 Borough, and in the Ward List for such Borough, shall be entitled to vote in the election of Aldermen and Councillors of such Ward, and of the Auditors and Assessors hereinafter mentioned for such Borough ; and no person who shall not be enrolled in such Burgess Roll and Ward List for the time being, shall have any voice or be
30 entitled to vote in any such election.

36.
Who shall
vote in the
election for
Councillors

And be it Enacted, That every Burgess of any Borough named in the said Schedule (A.) shall be entitled to vote in the election of the Aldermen and Councillors to be chosen within that Ward in which
35 some part of the property of such Burgess in respect of which he is enrolled on the Burgess Roll for the time being of such Borough shall appear to be situated, and not otherwise ; and in case it shall happen that any Burgess shall be entitled to be enrolled in respect
of property in Two or more Wards, then he shall, if otherwise duly qualified according to the provisions of this Act, be enrolled and vote
40 in such one of the said Wards as he shall at the time of his enrolment select, by writing under his hand delivered to the Town Clerk, or left at his office on or before the Fifth day of September in any year, or in default of his selection as the Mayor shall determine, but not in more than one.

37.
Burgesses to
vote for the
Councillors of
the Ward in
which their
Property is
situate.

38.
Directing the
election of
Aldermen and
Councillors.

And be it Enacted, That on the Twenty-fifth day of October in the first year in which this Act shall come into operation in any Borough mentioned in the said Schedule (A.), the Burgesses in every Ward of every such Borough shall elect from among the persons qualified to be Councillors of such Borough the number of persons mentioned in the Schedule (C.) to this Act annexed, in conjunction with such Ward, as the number of Aldermen and Councillors of said Borough to be elected in such Ward; and One-fourth part of the persons so elected, being those who shall have the greatest number of votes, shall be the Aldermen of the said Ward, and the remaining Three-fourths shall be the Councillors of such Ward.

39.
One-third part
of the Council
to go out of
Office
annually.

And be it Enacted, That upon the Twenty-fifth day of October in every year following that in which this Act shall come into operation in any Borough One-third part of the number appointed as aforesaid to be the whole number of the Councillors of every Ward of such Borough shall go out of office, and the Burgesses then enrolled in the Ward List of such Ward shall elect the number of Councillors needed to supply the vacancies thereupon existing in the number of Councillors; and those who shall so first go out of office shall be the Councillors who were elected under the provisions of this Act by the smallest numbers of votes at the first Election, and in the next year those who shall go out of office shall be the Councillors who were elected under the provisions of this Act by the next smallest numbers of votes at the first election, the majority of the whole Council always determining when the votes for any such persons shall have been equal, or, in case there shall have been no contest, who shall be the persons so to go out of office; and thereafter those who shall so go out of office shall always be the Councillors who have been for the longest time in office without re-election: Provided always, That any Councillor so going out of office shall be capable of being forthwith re-elected, if then qualified as herein provided.

40.
When day
of Election
falls on a
Sunday, the
Election
shall be held
on the Mon-
day follow-
ing.

And be it Enacted, That whenever any day appointed by this Act as a day of Election, or for doing any act in any year, shall happen on a Sunday, in every such case the election shall be holden and the act done on the following Monday.

41.
One-half the
number of
Aldermen to
go out of
office every
Three Years.

And be it Enacted, That on the Twenty-fifth day of October in every Third year after the year in which this Act shall come into operation in any Borough, except in the City of Dublin, One-half of the number appointed to be the whole number of the Aldermen of every Ward shall go out of office, and the Burgesses then enrolled in the Ward List shall elect the number of Aldermen needed

needed to supply the vacancies thereupon existing in the number of Aldermen ; and in the City of Dublin the Burgesses of each of Eight Wards shall separately elect in each Third subsequent year the Alderman of that Ward, the Council determining in which Wards the Aldermen shall be first re-elected ; and the Aldermen first elected in the Eight Wards so determined upon by the Council shall go out of office at the end of Three Years after their election ; and the Aldermen of every Ward of every other Borough who shall so first go out of office shall be the Aldermen who were elected by the smallest number of votes at the First election, the majority of the Council determining when the votes for any such persons shall have been equal, or, in case there shall have been no contest, who shall be the Aldermen first to go out of office ; and thereafter those who shall go out of office shall always be those who have been Aldermen for the longest time without re-election : Provided always, That any Alderman on going out of office may be forthwith re-elected if then qualified.

And be it Enacted, That the first election of Aldermen and of Councillors within any Ward according to the provisions of this Act shall be holden before the Barrister to be appointed by the Lord Lieutenant to revise the List of Burgesses as aforesaid, or the person whom the said Barrister shall appoint for that purpose in such Ward respectively, and such Barrister or other person shall for that purpose be in the place and stead of the Alderman and Assessors, and shall have all such powers as the Alderman and Assessors will possess in the subsequent elections ; and every subsequent election of Aldermen or of Councillors within any Ward according to the provisions of this Act shall be holden before the Alderman, or if there be more than One Alderman of the Ward, then before such Alderman of the Ward as the Council shall appoint, and Assessors for the time being of such Ward, except as herein is excepted ; and the voting at every such election shall commence at Nine of the clock in the Forenoon, and shall finally close at Four of the clock in the Afternoon of the same day, and shall be conducted in manner following ; (that is to say) every Burgess entitled to vote in the election may vote for any number of persons not exceeding the number of Aldermen or Councillors then to be chosen, by delivering, to the Mayor or Barrister, or person appointed as aforesaid, or Alderman (as the case may be), a Voting Paper containing the christian names and surnames of the persons for whom he votes, with their respective places of abode and descriptions, such Paper being previously signed with the name of the Burgess voting, and with the name of the street, lane or other place in which the property in respect of which he is enrolled is situated.

42.
Elections how
to be held.

Mode of
voting.

43.
Polling
Booths to be
provided.

And be it Enacted, That at every election under this Act in any Borough, the Mayor or Barrister, or Alderman or other person before whom the election shall be held, if it shall appear to him expedient for taking the poll at such election, may cause Booths to be erected, or rooms to be hired and used as such Booths, for different parts of such Borough, and such Booths or rooms may be situated either in one place or in several places, and shall be so divided and allotted into compartments as to the Mayor or Alderman, or Barrister or other person shall seem most convenient; and the Mayor or Alderman, or Barrister or other person shall appoint a Clerk to take the poll at each compartment, and shall cause to be affixed on the most conspicuous part of each of the said Booths the names of the parts of the Borough for which such Booth is respectively allotted; and no person shall be admitted to vote at any such election except at the Booth allotted for the part wherein the house, warehouse, counting-house, office or shop occupied by him as described in the Burgess Roll may be; but in case no Booth shall happen to be provided for any particular part as aforesaid, the votes of the persons voting in respect of property situate in any part so omitted may be taken at any of the said Booths; and public notice of the situation, division and allotments of the different Booths shall be given Two Days before the commencement of the poll by the Mayor or Alderman, or Barrister or other person; and in case the Booths shall be situated in different places, the Mayor or Alderman, or Barrister or other person may appoint a deputy to preside at each place: Provided that no election shall be holden under this Act in any Borough in any church, chapel or other place of public worship.

44.
No inquiry
of the Voter,
except as to
his identity,
and whether
he has voted
before at the
same Election.

And be it Enacted, That no inquiry shall be permitted at any election as to the right of any person to vote as a Burgess in any Borough, except only as follows; (that is to say) that the Mayor or other presiding officer shall, if required by any Two Burgesses entitled to vote in the same Borough, put to any voter at the time of his delivering in his Voting Paper, and not afterwards, the following questions, or any of them, and no other:

Forms of
Questions as
to these points.

1. Are you the person whose name is signed as A. B. to the Voting Paper now delivered in by you?
2. Are you the person whose name appears as A. B. on the Burgess Roll now in force for this Borough, being registered therein for property described to be situated in
[Here specify the street, &c. as described in the Burgess Roll.]
3. Have you already voted at the present election?

And

And no person required to answer any of the said questions shall be permitted or qualified to vote until he shall have answered the same ; and if any person shall wilfully make a false answer to any of the questions aforesaid, he shall be deemed guilty of a Misdemeanor, and
5 may be indicted and punished accordingly.

And be it Enacted, That at any election under the provisions of this Act, it shall be lawful for the presiding Officer to close the poll at any time before Four of the clock, if One Hour shall have elapsed, during which no vote shall have been tendered
10 for any candidate ; provided that no person or persons have within the last hour been prevented from coming to the poll by any riot, violence, or other unlawful means, of which notice shall have been given to the Returning Officer.

45.
Poll may be closed if an Hour has elapsed without a Vote being tendered.

And be it Enacted, That the Mayor and Assessors or the Alder-
15 man and Assessors, or the Barrister or other person appointed as aforesaid (as the case may be), shall examine the Voting Papers so delivered as aforesaid, for the purpose of ascertaining which of the several persons voted for are duly elected ; and so many of such persons, being equal to the number of persons then to be chosen, as shall
20 have the greatest number of votes, shall be deemed to be elected ; and in case of an equality in the number of votes for any Two or more persons, the Mayor and Assessors, or Alderman and Assessors, or any Two of them, or at the first Election the Barrister or other person appointed by the Mayor as aforesaid, shall name from amongst those
25 persons for whom the number of votes shall be equal so many as shall be necessary to complete the requisite number of persons to be chosen Aldermen or Councillors, as the case may be ; and the Mayor shall cause the Voting Papers to be kept in the office of the Town Clerk during Six calendar Months at the least after
30 every such election, and the Town Clerk shall permit any Burgess or any Two Burgesses together, to inspect the Voting Papers of any year, on payment of One Shilling for every search ; and the Mayor shall publish a list of the names of the persons so elected, together with the number of votes given in favour of each person so elected,
35 not later than Two of the clock in the afternoon of the day next but one following the day of such election.

46.
Result of Election how to be declared.

And be it Enacted, That if at any Election of Aldermen, Councillors or Assessors for any Borough named in the said Schedule (A.) any person shall be elected an Alderman, Councillor or Assessor in
40 more than One of the Wards of such Borough, he shall within Three Days after notice thereof choose, or in default the Mayor shall declare, for which one of the said Wards such Alderman, Councillor or Assessor shall serve, and such person shall thereupon be held to

47.
Manner of proceeding if any person is selected an Alderman or Councillor in more than One Ward.

be elected in that Ward only which he shall so choose, or which the Mayor shall so declare.

48.
Election of
Auditors and
Assessors.

And be it Enacted, That on the First day of November in the year in which this Act shall come into operation in every Borough, and in every succeeding year, the Burgesses of the whole Borough shall, at an election to be holden before the Mayor, elect from the persons qualified to be Councillors, by a majority of votes, Two Burgesses, who shall be and be called "Auditors" of such Borough, and Two Burgesses, who shall be and be called "Assessors" of such Borough, and besides the Two Assessors chosen as aforesaid by the Burgesses for the whole Borough to hold the Court with the Mayor for revising the Burgess Lists, the Burgesses of every Ward shall on the First day of November next after the election of Councillors in such Ward, and in every subsequent year, elect from the persons qualified to be Councillors Two Assessors for such Ward, in the form and manner hereinbefore provided for the election of Councillors; and every such Auditor and Assessor shall continue in office until the Tenth day of November in the year following his election; and the election of such Auditors and Assessors respectively shall be in form and manner hereinbefore provided for the election of Councillors: Provided nevertheless, That in every such election of Auditors or Assessors of the Borough, or Assessors of the Ward, no Burgess shall vote for more than One person to be an Auditor or Assessor: Provided also, That no Burgess shall be eligible to be or be elected such Auditor or Assessor as aforesaid who shall be of the Council, or the Town Clerk or Treasurer of such Borough; and no Auditor or Assessor shall be eligible to be elected Alderman or Councillor, or appointed to be Town Clerk or Treasurer of the Borough, during the time of his being such Auditor or Assessor.

49.
Council to
appoint an
Alderman in
default of
the Mayor.

And be it Enacted, That if the Mayor of any Borough shall at the time when it shall be necessary to execute the powers and duties herein provided with respect to elections be dead, absent or otherwise incapable of acting, the Council of such Borough shall forthwith elect one of the Aldermen to execute all such powers and duties in his place, whose acts shall be as valid as any act of the person instead of whom he shall have been so elected.

50.
In case of
illness of Alderman at
Election.

And be it Enacted, That in case of the illness or incapacity to act of any Alderman at any election, the Mayor shall be empowered to appoint another Alderman to act in the room of such Alderman during such illness or incapacity.

51.
Assessor may
appoint a
Deputy.

And be it Enacted, That every Assessor shall be empowered and he is hereby directed, as soon as conveniently may be after his election,

election, and from time to time as the occasion may arise or to him may seem fit, to appoint under his hand a deputy to act for him in case of his illness or incapacity to act at any election or any revision of the Burgess Lists ; and every such appointment shall be signified by him in writing under his hand to the Council, and shall be recorded on the minutes of their proceedings.

And be it Enacted, That after the declaration of the first election of the Councillors under the provisions of this Act in any Borough named in the said Schedule (A.), the Mayor, Aldermen and Common Councilmen, and all other members of the Common Council or governing Body of the Body Corporate, if any, named in conjunction with such Borough in the said Schedule (A.), by whatever name or style they may be known or called, then in office, or elected to any office, shall go out of office, and their whole powers and duties shall cease :
 Provided nevertheless, That any of the said persons shall be eligible to be elected and appointed under the provisions of this Act : Provided also, That such persons as by virtue of any charter are Justices of the Peace in any Borough named in the said Schedule (A.) at the time of passing this Act shall continue to have and exercise all the powers which at the time of passing this Act they have as Justices of the Peace until the First day of December next after the first election of Councillors under this Act in that Borough, and no longer.

52.
Existing
Mayors and
Councils to
go out of
office on elec-
tion of Coun-
cils under this
Act.

And be it Enacted, That in every Borough in which, by statute, charter, bye-law or custom, any election is appointed to be holden between the day on which this Act shall come into operation in that Borough and the Twenty-fifth day of October then next following, both inclusive, no such election shall be holden, but every person holding office or elected to any office in any Borough on the day on which this Act shall come into operation in that Borough shall hold such office, and have all the powers, and be subject to all the duties, and be entitled to the same or a proportion of the same salary and fees of such office for the time for which he shall act, as he would have had and been if elected to such office between the day on which this Act shall come into operation in that Borough, and the Twenty-fifth day of October then next following, until the time provided by this Act for him to go out of office, any statute, charter, bye-law or custom notwithstanding.

53.
Certain
Elections not
to be had.

And be it Enacted, That if any extraordinary vacancy shall be occasioned in the office of Councillor, Auditor or Assessor for any Borough named in the said Schedule (A.) the Burgesses entitled to vote shall, on a day to be fixed by the Mayor of such Borough, or by the Alderman, appointed as aforesaid, of the Ward in which the va-

54.
Occasional
Vacancies of
Councillors to
be filled up by
fresh Elections.

cancy has happened, accordingly as the election is to be by the Burgesses of the whole Borough or of any particular Ward (such day not to be later than Ten Days after such vacancy), elect from the persons qualified to be Councillors another Burgess to supply such vacancy ; and such election shall be held, and the voting and other proceedings, in case of a contest, shall be conducted in the same manner and subject to the same provisions as are hereinbefore enacted with respect to the election of Councillors as aforesaid ; and every person so elected shall hold such office until the time at which the person in room of whom he was chosen would regularly have gone out of office, and he shall then go out of office, but shall be capable of immediate re-election, if then qualified as herein provided.

55.
Occasional
Vacancies in
the office of
Alderman to
be supplied.

And be it Enacted, That if any extraordinary vacancy shall be occasioned in the office of Alderman by reason of any person who shall have been elected to such office not accepting the same, or by reason of his dying or ceasing to hold the said office, the Burgesses of the Ward in which the vacancy may have occurred, shall on a day to be fixed by the Mayor of such Borough, or by the Alderman, appointed as aforesaid, of the Ward in which the vacancy has happened, or if there shall be no Alderman appointed as aforesaid, by such Alderman or Councillor as shall have been appointed for that purpose by the Council (such day not to be later than Ten Days after such vacancy), elect out of the Councillors or persons qualified to be Councillors of the Borough another fit person to be an Alderman of the Ward instead of the person so declining, dying or ceasing to hold office.

56.
Election of
Mayor by
Council.

And be it Enacted, That on the First day of November in every year the Council of the Borough shall elect out of the Aldermen or Councillors of such Borough a fit person to be the Mayor of such Borough, who shall continue in his office for One whole year, and until his successor shall have accepted the office of Mayor, and shall have made and subscribed the Declaration required in that behalf ; and in case of an equality of votes in any election of Mayor, the Alderman who shall have been elected by the greatest number of votes shall have a second or casting vote ; and in case a vacancy shall be occasioned in the office of Mayor of the Borough during such year, by reason of any person who shall have been elected to such office not accepting the same, or by reason of his dying or ceasing to hold the said office, the Council of the Borough shall within Ten Days after such vacancy elect out of the Aldermen or Councillors of the said Borough another fit person to be the Mayor thereof for the remainder of the then current year.

57.
The Mayor to
be a Justice
of the Peace

And be it Enacted, That the Mayor for the time being of every Borough named in the said Schedule (A.) shall be a Justice of the Peace of

of and for such Borough, and such Mayor shall, during his mayoralty, have precedence in all places within the Borough, and in Boroughs which return a Member or Members to serve in Parliament, other than cities and towns which are counties of themselves, shall be the

for the
Borough and
for the County,
and Returning
Officer at
Elections of
Members to
serve in Par-
liament.

- 5 Returning Officer at all elections for such Members ; and such Mayor or other Returning Officer of any such Borough shall, if he shall think fit, or if any candidate shall require the same, be assisted in such of the said Boroughs as shall have a Recorder by the Recorder of such Borough as his Assessor at such election ; and in case the Mayor shall, at the time
- 10 when it shall be necessary to execute the powers and duties herein provided with respect to any elections, be dead or absent, or otherwise incapable of acting, the Council of such Borough shall forthwith elect one of the Aldermen to be the Returning Officer for such Borough in the place of the Mayor being so dead, absent or other-
- 15 wise incapable.

And be it Enacted, That no person elected a Mayor, Auditor or Assessor for any Borough, or Alderman, Councillor, Assessor for any Ward of any Borough, under the provisions of this Act, shall be capable of acting as such, except in administering

20 the declaration hereinafter contained, until he shall have made and subscribed before any Two or more of such Aldermen or Councillors (who are hereby respectively authorized and required to administer the same) a declaration in the words or to the effect following ; (that is to say)

58.
Mayor, Alder-
men, Council-
lors, &c.
not to act
until they
have made a
declaration of
acceptance of
Office.

- 25 “ I, A. B., having been elected Mayor [or, Alderman, Councillor, Auditor or Assessor] for the Borough of [or, for the Ward of in the Borough of], do hereby declare, That I take the said office upon myself, and will duly and faithfully fulfil the duties thereof according to
- 30 the best of my judgment and ability.”

And in the case of the party being required to be qualified by estate, say,

- “ And I do hereby declare, That I am seised or possessed of real or personal estate [or both, as the case may be] to the amount
- 35 of One thousand Pounds or Five hundred Pounds [as the case may require,] over and above what will satisfy my debts.”

Or, when a qualification by reason of the occupancy of a house is allowed:

- “ That I now occupy, and have for Twelve months last past occupied, a house of the clear yearly value of Twenty-five Pounds, or Fifteen Pounds [as the case may be,] situate within the Borough of .”
- 40

And that every Alderman who shall have made and subscribed the foregoing declaration in respect of estate shall once in every period

of Three Years, if required in writing so to do by any Two Members of the Council, make and subscribe a Declaration that he is qualified to the same amount in real or personal estate, or both, as the case may then be, as the amount mentioned in the declaration originally made or subscribed by him ; and every Mayor, Alderman, Councillor, Auditor or Assessor who shall in any such declaration wilfully make a false statement shall be deemed guilty of a Misdemeanor, and may be indicted and punished accordingly : Provided always that nothing in this Act contained shall be construed to dispense with the obligation of any person to make and subscribe the oath provided and enjoined by an Act made in the tenth year of the reign of his late Majesty King George the Fourth, intituled, “ An Act for the Relief of His Majesty’s Roman Catholic Subjects.”

59.
Every Bur-
gess elected
to the office
of Councillor,
and every
Councillor
elected to the
office of Mayor
or Alderman,
shall accept
the office, or
pay a Fine to
the Borough
Fund.

And be it Enacted, That every person duly qualified who shall be elected to the office of Alderman, Councillor, Auditor or Assessor, and every Councillor or Alderman who shall be elected to the office of Mayor for any Borough named in the said Schedule (A.) shall accept the office to which he shall have been so elected, or shall in lieu thereof pay to the Mayor, Aldermen and Burgesses of such Borough such fine, not exceeding Fifty Pounds in case of Aldermen, Councillors, Assessors or Auditors, and such fine not exceeding One hundred Pounds in case of Mayor, as the Council of such Borough, by a bye-law to be made as hereinafter provided, shall declare in that behalf ; and such fine, if not duly paid, shall be levied by the warrant of any Justice having jurisdiction within such Borough, who is hereby required on application of the Council to issue the same, by distress and sale of the goods and chattels of the person so refusing to accept such office with the reasonable charges of such distress, and shall also be recoverable by way of civil bill in any action of debt, at the suit of the Mayor, Aldermen and Burgesses of such Borough, in the Court of the Assistant-Barrister, Chairman or Recorder having jurisdiction by way of civil bill within such Borough ; and every such person so elected shall accept such office, by making and subscribing the declaration hereinbefore mentioned within Five Days after notice of his election, otherwise such person shall be liable to pay the said fine as for his non-acceptance of such office, and such office shall thereupon be deemed to be vacant, and shall be filled up by a fresh election to be made in the manner hereinbefore mentioned : Provided always, That no person disabled by lunacy or imbecility of mind, or by deafness, blindness or other permanent infirmity of body, shall be liable to such fine as aforesaid : Provided also, That every person so elected to any such office, who shall be above the age of sixty-five years, or who shall have already served such office respectively or paid the fine for not accepting such office respectively, within Five Years from the day

day on which he shall be so re-elected, shall be exempted from accepting or serving the same office if he shall claim such exemption within Five Days after notice of his election ; and that nothing herein contained shall extend to compel the acceptance of any office or duty
 5 whatever in any Borough by any military, naval or marine officer in Her Majesty's service on full pay, or any officer of Excise or Customs, or any person employed in any of Her Majesty's dockyards, victual-
 ling establishments, arsenals or barracks, or any person serving in the office of High or Sub-Sheriff of a county at large, or being a
 10 Member of either House of Parliament : Provided further, That no person enabled by law to make an affirmation or declaration instead of taking an oath shall be liable to any fine for non-acceptance of office in any Borough.

And be it Enacted, That every person elected into any corporate
 15 office in any of the said Boroughs, may at any time resign such office on payment of the fine which he would have been liable to pay for non-acceptance of the same office, or if he shall become entitled to claim exemption from payment of any such fine, or from accepting or serving such office under any provision herein-
 20 before contained.

60:
 Provision
 for resigning
 Office.

And be it Enacted, That if any person holding the office of Mayor, Alderman or Councillor for any Borough named in the said Schedule (A.) shall be declared bankrupt, or shall apply to take the benefit of any Act for the Relief of Insolvent Debtors, or shall compound by deed
 25 with his creditors, or, being Mayor, be absent for more than Two calendar Months, or, being an Alderman or Councillor, for more than Six Months, at one and the same time (unless in case of illness or other reasonable cause to be allowed by the Council), from the Borough of which he shall be Mayor, Alderman or Councillor, then and in every
 30 such case such person shall thereupon immediately become disqualified, and shall cease to hold the office of such Mayor, Alderman or Councillor as aforesaid, and in case of such absence shall be liable to the same fine, to be recovered in the same manner, as if he had refused to accept the said office, and the Council thereupon shall
 35 forthwith declare the said office to be void, and shall signify the same by notice in writing under the hands of Three or more of them, countersigned by the Town Clerk, to be affixed in some public place within the Borough, and the said office shall thereupon become void ; but every person so becoming disqualified and ceasing to hold such
 40 office on account of his being declared a bankrupt, or of his applying to take the benefit of any Act for the Relief of Insolvent Debtors, or having compounded with his creditors as aforesaid, shall, on obtaining his certificate, or on payment of his debts in full, be capable, if otherwise qualified, of being re-elected to such office ; and every

61.
 Any Mayor,
 Alderman or
 Councillor, if
 he shall be
 declared
 bankrupt, or
 insolvent, or
 absent him-
 self from the
 Borough, shall
 lose his Office.

person becoming disqualified to hold such office on account of absence as aforesaid, shall on his return to such Borough be capable of being re-elected to such office, provided he shall then be otherwise qualified.

62.

Penalty on
Person not
qualified, &c.
acting as
Mayor, Alder-
man or
Councillor.

And be it Enacted, That if any person shall act as Mayor, 5
Alderman or Councillor, or Auditor or Assessor, for any Borough
named in the said Schedule (A.), or for any Ward in such Borough,
without having made the declaration hereinbefore required in that
behalf, or without being duly qualified at the time of making such
declaration, or after he shall have ceased to be qualified according 10
to the provisions of this Act, or after he shall have become dis-
qualified to hold any such office, he shall for every such offence
forfeit the sum of Fifty Pounds, such sum to be recovered, with
full costs of suit, by any person who will sue for the same within
Three calendar Months after the commission of such offence, by 15
action of debt or on the case in any of Her Majesty's Superior
Courts of Record; and every person so sued by reason of not being
so qualified in respect of estate shall prove that he was at the time
of so acting qualified as aforesaid, or otherwise shall pay the said
penalty, without any further evidence being given on the part of 20
the plaintiff than that such person has acted as the Mayor, or as
Alderman, Councillor, Auditor or Assessor (as the case may be) of
such Borough or Ward (as the case may be): Provided always, That
it shall be lawful for any defendant by Judge's order, or by the order of
the Court, to be obtained within Fourteen Days after he shall have 25
been served with process in any such action, to require the plaintiff to
give security for costs; and in such case all further proceedings in the
said cause shall be stayed until the plaintiff shall give security to the
satisfaction of the proper officer of the Court for the costs of such
action in case a verdict shall pass for the defendant, or the plaintiff 30
shall become nonsuit or discontinue such action, or if upon demurrer
or otherwise judgment shall be given against the plaintiff, and the
defendant shall in either of such cases recover his full costs as
between attorney and client: Provided also, That no such action
shall be brought except by a Burgess of such Borough, nor unless 35
the Burgess bringing the same shall, within Fourteen Days after the
commission of the offence, have served a notice in writing personally
upon the party committing such offence of his intention to bring
such action; and in case the plaintiff in any such action shall
obtain a verdict, the money so to be recovered shall, after payment 40
of the costs and expenses attending the recovery thereof, be paid
and apportioned as follows; (that is to say) one Moiety thereof to
the person so suing, and the other Moiety thereof to the Treasurer
to be appointed by virtue of this Act, to be by him applied in aid of
the Borough Fund: Provided also, That all acts and proceedings
of

Proviso.

of any person in possession of the office of Mayor, Alderman, Councillor, Auditor or Assessor, and acting as a Mayor, Alderman, Councillor, Auditor or Assessor, shall, notwithstanding such disqualification or want of qualification, or any other defect or want of Title,
 5 be as valid and effectual as if such person had been duly qualified or entitled ; and no person enrolled on the Burgess Roll for the time being of any Borough, and who shall act as Mayor, Alderman, Councillor, Auditor or Assessor in that Borough, shall be liable to any penalty for so acting, on the ground that he was not entitled to
 10 be on the Burgess List of such Borough.

And be it Enacted, That if any person who shall have or claim to have any right to vote in any election of Mayor, or of an Alderman, Councillor, Auditor or Assessor of any Borough named in the said Schedule (A.), shall, after the passing of this
 15 Act, ask or take any money or other reward by way of gift, loan or other device, or agree or contract for any money, gift, office, employment or other reward whatsoever, to give or forbear to give his vote in any such election, or if any person, by himself or any person employed by him, shall, by any gift or reward,
 20 or by any promise, agreement or security for any gift or reward, corrupt or procure, or offer to corrupt or procure, any person to give or forbear to give his vote in any such election, such person so offending in any of the cases aforesaid shall for every such offence forfeit the sum of Fifty Pounds, to be recovered, together with full
 25 costs of suit, by any one who shall sue for the same, by action of debt, bill, plaint or information, in any of Her Majesty's Courts of Record at Dublin ; and any person offending in any of the cases aforesaid, being lawfully convicted thereof, shall for ever be disabled to vote in any election in such Borough, or in any Municipal or
 30 Parliamentary election whatever in any part of the United Kingdom, and also shall for ever be disabled to hold, exercise or enjoy any office or franchise to which he then shall or at any time afterwards may be entitled as a Burgess of such or any other Borough, as if such person was naturally dead : Provided nevertheless, That if any
 35 person offending in any of the cases aforesaid shall, within the space of Twelve calendar Months next after such election as aforesaid, discover any other person or persons offending in any of the cases aforesaid, so that such person or persons so discovered to be therein convicted, such person so discovering, and not having been before
 40 that time convicted of any such offence, shall be indemnified and discharged from all penalties and disabilities which he shall then have incurred by any such offence.

63.
 Persons convicted of Bribery disqualified from voting at any Election for Members of the Council.

Persons offending in any of the cases aforesaid discovering others so offending, within Twelve Months, discharged from all Penalties.

Provided always, and it is hereby Enacted, That no person shall be made liable to any incapacity, disability, forfeiture or penalty by this Act imposed in any of the cases aforesaid, unless prosecution be

64.
 No Person to be made liable to incapacity or Penalty, unless Prosecution be commenced

cutien com-
menced within
One Year.

commenced within One Year after such incapacity, disability, forfeiture or penalty shall be incurred; any thing herein contained to the contrary notwithstanding.

65.

Questions to
be decided by
a majority of
Councillors
present; One-
third Part of
the whole
number to be
a Quorum.

And be it Enacted, That all acts whatsoever authorized or required by virtue of this Act to be done by the Council of any Borough named in the said Schedule (A.), and all questions of adjournment or others that may come before such Council, may be done and decided by the majority of the members of the Council who shall be present at any meeting held in pursuance of this Act, the whole number present at such meeting not being less than One-third part of the number of the whole Council; and at all such meetings the Mayor, if present, shall preside; and the Mayor, or, in case of the absence of the Mayor, such Alderman or Councillor as the members of the Council then assembled shall choose to be the Chairman of that meeting, shall have a second or casting vote in all cases of equality of votes; and minutes of the proceedings of all such meetings shall be drawn up and fairly entered into a book to be kept for that purpose, and shall be signed by the Mayor, Alderman or Councillor presiding at such meeting; and the said minutes shall be open to the inspection of any Burgess at all reasonable times on payment of a fee of One Shilling: and any Burgess shall be at liberty at all seasonable times to make any copy or take any extract from such book: Provided always, That previous to any meeting of the Council held by virtue of this Act, a notice of the time and place of such intended meeting shall be given Three clear Days at least before such meeting, by fixing the said notice on or near the door of the Town Hall of the Borough; and such notice shall be signed by the Mayor, who shall have power to call a meeting of the Council as often as he shall think proper; and in case the Mayor shall refuse to call any such meeting after a requisition for that purpose signed by Five Members of the Council at the least shall have been presented to him, it shall be lawful for the said Five Members to call a meeting of the Council by giving such notice as is hereinbefore required in that behalf, such notice to be signed by the said members instead of the Mayor, and stating therein the business proposed to be transacted at such meeting; and in every case a summons to attend the Council, specifying the business proposed to be transacted at such meeting, signed by the Town Clerk, shall be left at the usual place of abode of every member of the Council, or at the premises in respect of which he is enrolled a Burgess, Three clear Days at the least before such meeting; and no business shall be transacted at such meeting other than is specified in the notice: Provided always, That there shall be in every Borough Four quarterly meetings in every year at which the Council shall meet for the transaction of general business, and no notice shall need to be given of the business

to

to be transacted on such quarterly days; and the said quarterly meetings shall be holden at noon on the First day of November, and at such hour on such other Three days before the Twenty-fifth day of October then next following as the Council at the
 5 quarterly meeting in November shall decide; and the first business transacted at the quarterly meeting in November shall be the election of Mayor.

And be it Enacted, That the Council of every Borough named in the said Schedule (A.) in the year in which this Act shall come
 10 into operation shall appoint, to be removable at their pleasure, a fit person, not being a member of the Council, to be the Town Clerk of such Borough, and in every year one other fit person, not being a member of the Council, to be the Treasurer of the Borough, and also
 15 such other officers as have been usually appointed in such Borough, or as they shall think necessary for enabling them to carry into execution the various powers and duties vested in them by virtue of this Act, and may from time to time discontinue the appointment of such officers as shall appear to them not necessary; and shall take such security for the due execution of his office by any such Town Clerk, Treas-
 20 urer or other officer, as the said Council shall think proper; and shall order to be paid to the Mayor, and to the Town Clerk and Treasurer, and to every such other officer to be employed as afore- said, such salary or allowance as the said Council shall think reasonable; and in case of a vacancy in any such office as afore-
 25 said, by death, resignation, removal or otherwise, the Council of such Borough may appoint another fit person in the place of the person so making such vacancy; provided that the Town Clerk and Treasurer shall not be the same person.

66.
 Power to Council to appoint Town Clerk, Treasurer, and other Officers and to take security for due discharge of their official duties.

And be it Enacted, That every Treasurer, Town Clerk or
 30 other officer appointed by the Council as aforesaid shall, at such times during the continuance of his office, or within Three calendar Months after the expiration of his office, and in such manner as the said Council shall direct, deliver to the Council or to such person as they shall authorize for that purpose,
 35 a true account in writing of all matters committed to his charge by virtue of this Act, or under colour of his office, and also of all monies which shall have been by him received by virtue or for the purposes of this Act, or under colour of his office, and how much thereof shall have been paid and disbursed, and for what purposes,
 40 together with proper vouchers for such payments, and also a list of the names of all such persons as shall not have paid the monies due from them for the purposes of this Act, and of the amount due from each of them; and every such officer shall pay all such monies as shall remain due from him to the Treasurer for the time being, or to such person as the said Council shall authorize to

67.
 Officers to account, &c. according to the Orders of the Council.

Summary
remedy
against
Officers for
not account-
ing, &c.

receive the same; and if any such officer shall refuse or wilfully neglect to deliver such account, or the vouchers relating to such account, or such list as aforesaid, or to make payment as aforesaid, or shall refuse or wilfully neglect to deliver to the said Council, or to such person as they shall authorize, within Three Days after being thereunto required by notice in writing under the hands of any Three or more of the said Council, to be given to or left at the last place of abode of such officer, all books, papers and writings in his custody or power, relating to the execution of this Act, or to give satisfaction to the said Council, or to such other person as aforesaid, respecting the same, then and in every such case, upon complaint made on behalf of the said Council, by such person as they shall authorize for that purpose, of any such refusal or wilful neglect as aforesaid, to any Justice of the Peace for the County, or other jurisdiction wherein such officer so refusing or neglecting shall be or reside, such Justice is hereby authorized and required to issue a warrant under his hand and seal for bringing such officer before any Two Justices of the Peace for such County or jurisdiction; and upon the said officer appearing, or not being found, it shall be lawful for such Justices to hear and determine the matter in a summary way; and if it shall appear to such Justices that any monies remain due from such officer, such Justices may and they are hereby authorized and required, upon non-payment thereof, by warrant under their hands and seals, to cause such monies to be levied by distress and sale of the goods of such officer; and if sufficient goods shall not be found to satisfy the said monies, and the charges of the distress, or if it shall appear to such Justices that such officer has refused or wilfully neglected to deliver such account, or the vouchers relating thereto, or such list as aforesaid, or that any books, papers or writings relating to the execution of this Act remain in the hands or in the custody or power of such officer, and that he has refused or wilfully neglected to deliver the same, or to give satisfaction respecting the same as aforesaid, then and in every such case such Justices shall and they are hereby required to commit such offender to the Common Gaol or House of Correction for the County or jurisdiction where such offender shall be or reside, there to remain without bail until he shall have paid such monies as aforesaid, or shall have compounded with the said Council for such monies, and shall have paid such composition in such manner as they shall appoint (which composition the said Council are hereby empowered to make and receive), or until he shall have delivered a true account as aforesaid, together with such vouchers and list as aforesaid, or until he shall have delivered up such books, papers and writings, or have given satisfaction in respect thereof to the said Council, or to such other person as aforesaid, as the case may be: Provided always, That

Proviso.

That no person so committed shall be detained in prison for want of sufficient distress only, for a longer space of time than Three calendar Months: Provided also, That nothing in this Act contained shall prevent or abridge any remedy by action against any
 5 such officer so offending as aforesaid, or against any surety for any such officer, but such officer shall not be sued by action and also proceeded against in a summary manner by virtue of this Act for the same cause.

Remedy by
Action.

And be it Enacted, That the Council elected under this Act
 10 in any Borough named in the said Schedule (A.), shall have power to remove from his office every Town Clerk, Bailiff, Treasurer or Chamberlain, and every other ministerial or executive officer of such Borough and Body Corporate, except the Sheriff, who shall be in office at the time of the first election of Councillors
 15 under this Act; and every such Town Clerk, Bailiff, Treasurer or Chamberlain, and every other ministerial or executive officer in such Borough, shall continue to act in the same capacity as heretofore, and to execute all the duties heretofore belonging to his office, and be entitled to have the same salaries, fees and
 20 emoluments as he would have had if this Act had not passed, until he shall be removed from his office, and no longer, unless he shall be re-appointed according to the provisions of this Act; and every officer who shall be in possession or receipt of any monies, goods, valuable securities, books or papers belonging to or con-
 25 cerning the Body Corporate whose officer he is shall deliver up and account for the same to the Council of such Body Corporate appointed under this Act; and in case they or any of them shall refuse or wilfully neglect to deliver such accounts, vouchers and lists, or to make such payments, or to deliver such books, papers and writings,
 30 or to give satisfaction respecting the same, as is hereinbefore provided in the case of officers appointed by such Council, they and every of them may be proceeded against, and shall be subject and liable to the several provisions hereinbefore contained in cases of officers appointed by such Council; and all the charters, deeds,
 35 muniments and records of every Borough, or relating to the property thereof, shall be kept in such place as the Council from time to time shall direct, and the Town Clerk for the time being shall have the charge and custody of and be responsible for the same.

68.
Officers to
continue until
removed.

And be it Enacted, That every officer of any Borough named
 40 in the said Schedule (A.) or of any County, who shall be in any office of profit at the time of the passing of this Act whose office shall be abolished, or who shall be removed from his office under the provisions of this Act, or who shall not be re-appointed as aforesaid, shall be entitled to have an adequate com-

69.
Officers to
receive Com-
pensation on
removal.

pension, to be assessed by the Council and paid out of the Borough
 Fund, for the salary, fees and emoluments of the office which he
 shall so cease to hold, regard being had to the manner of his appoint-
 ment to the said office, and his term or interest therein, and all
 other circumstances of the case ; and every person entitled to such 5
 compensation as aforesaid shall deliver to the Town Clerk, or in
 case such person shall himself be Town Clerk, then to the Treasurer
 of the Borough, a statement under the hand of such person setting
 forth the amount received by him or his predecessors in every year
 during the period of Five Years next before the passing of this Act, 10
 on account of the salary, fees, emoluments, profits and perquisites in
 respect whereof he shall claim such compensation, distinguishing the
 office, place, situation, employment or appointment in respect whereof
 the same shall have been received, and containing a declaration that
 the same is a true statement according to the best of the know- 15
 ledge, information and belief of such person, and also setting
 forth the sum claimed by him as such compensation ; and the Town
 Clerk or Treasurer, as the case shall be, shall lay such statement
 before the Council, who shall take the same into consideration,
 and determine thereon ; and immediately upon such determination 20
 being made, the person preferring such claim, if he shall not him-
 self be the Town Clerk, shall be informed thereof by notice in
 writing under the hand of the Town Clerk ; and in case such
 claim shall be admitted in part and disallowed in part, such notice
 shall specify the particulars in which the same shall have been ad- 25
 mitted and disallowed respectively ; and in case the person preferring
 such claim shall think himself aggrieved by the determination of the
 Council thereon, or in case One-third of the members of the Council
 shall subscribe a protest against the amount of compensation allowed
 by the determination of the Council as excessive, it shall be lawful for 30
 the person preferring such claim, or any member of the Council who
 shall subscribe such protest, to appeal to the Commissioners of
 Her Majesty's Treasury, who shall thereupon make such order as to
 them shall seem just ; and such order, signed by Three or more of
 such Commissioners, shall be binding on all parties : Provided 35
 always, That if the Council shall not determine on such claim within
 Six calendar Months after the aforesaid statement shall be delivered
 to the Town Clerk or Treasurer, as the case shall be, such claim
 shall be considered as admitted : Provided also, That it shall not be
 lawful for any member of the Council to subscribe such protest as 40
 aforesaid except within such period of Six calendar Months : Pro-
 vided also, That the person preferring such claim, if any member of
 the Council shall so require, upon receiving notice in writing signed
 by the Town Clerk, unless such person shall himself be Town Clerk,
 in which case no such notice shall be requisite, shall from time to
 time attend at any meeting or adjourned meeting of the Council for
 the

the investigation of such claim, and then and there, upon his oath or solemn affirmation, or his declaration, to be taken or made before the Mayor (who is hereby authorized to administer the same), shall answer all such questions as shall be asked by any member of the Council touching the matters set forth in the statement subscribed by such person as aforesaid, and produce all books, papers and writings in his possession, custody or power relating thereto: Provided also, That every such officer who shall be continued in or re-appointed to such office under the provisions of this Act, and who shall be subsequently removed from such office for any cause other than such misconduct as would warrant removal from any office held during good behaviour, shall be entitled to compensation in like manner as if he had been forthwith removed under the provisions of this Act, and had not been continued in or re-appointed to such office.

And be it Enacted, That the value of the sum payable to any person as such compensation as aforesaid, if not forthwith paid, shall be secured to such person by bond or obligation under the common seal of the Borough out of whose funds the same shall be payable, in a sufficient penalty, conditioned for the payment to such person, his executors or administrators or assigns, of the value of such sum, with interest, and all arrears thereof (if any) accrued due before the date of such bond; and such bond or obligation shall be prepared and executed at the expense of the Borough Fund, and delivered to the person entitled to such compensation as soon as conveniently may be after the amount thereof shall have been admitted as aforesaid by the Council of the Borough, or shall have been determined, in the event of such appeal as aforesaid, by order of the said Commissioners of Her Majesty's Treasury.

70.
Compensation
to be secured
by bond under
Common Seal.

And be it Enacted, That all pensions and allowances granted on or before the Fifth day of June One thousand eight hundred and Thirty-five, by the Corporate Body named in the said Schedule (A.) in conjunction with any Borough, to any retired officer or servant, or to any officer by permanent infirmity rendered incapable of performing the duties of his office, or to the widow or child of any officer or servant, and all stipends and allowances which during Seven Years next before the said Fifth day of June have been usually paid and granted to the Minister or late Minister of any Church or Chapel, or to the Master or Usher of any School, or to the Governor or Master of any Hospital within such Borough, and all charitable allowances which have been usually paid as aforesaid to the inmates of any almshouses by such Corporate Body, shall be secured, as soon as conveniently may be after the passing of this Act, to every person entitled or accustomed to have and receive the same, by bond or obligation under the

71.
Reservation
of certain
Pensions and
Allowances.

common seal of the Borough out of whose funds the same shall be payable, in a sufficient penalty, conditioned for the payment to such person, his executors and administrators, of such pension, stipend or allowance, with all arrears thereof, if any, accrued due before the date of such bond; and such bond or obligation shall be prepared and executed at the expense of the Borough Fund. 5

72.
Power to
Council to
appoint Com-
mittees.

And be it Enacted, That it shall be lawful for the Council of any Borough to appoint out of their own Body from time to time such and so many Committees, either of a general or special nature, and consisting of such number of persons as they may think fit, for any purposes which in the discretion of such Council would be better regulated and managed by means of such Committees: Provided always, That the acts of every such Committee shall be submitted to the Council for their approval. 10

73.
Charitable
Trustees.

AND whereas it is expedient that the administration of any real or personal estate of which any Body Corporate now stands seised or possessed in trust as to the whole or in part for certain charitable trusts be kept distinct from that of the public stock and Borough Fund; BE it Enacted, That in every Borough named in the said Schedule (A.) in which the Body Corporate or any one or more of the Members of such Body Corporate, in his or their corporate capacity, or any person or persons elected from among or out of the members or any of the members of such Body Corporate, or any person or persons elected solely by such Body Corporate, or solely by any particular number, class or description of members, of such Body Corporate, now stands or stand solely or together with any other Body or Bodies Corporate, person or persons, seised or possessed for any estate or interest whatsoever of any hereditaments, or any sums of money, chattels, securities for money, or any other personal estate whatsoever, in whole or in part, in trust or for the benefit of any charitable uses or trusts whatsoever, all the estate, right, interest and title, and all the powers of such Body Corporate, in cases where the Body Corporate shall be such Trustee, shall, on the day on which this Act shall come into operation in any such Borough, be and are hereby vested in the persons who shall on the same day have been the Mayor, Aldermen and Common Council or other governing Officers of such Body Corporate, alone or together with the Body or Bodies Corporate, person or persons who shall have been seised or possessed of or entitled to exercise the same together with such Body Corporate (as the case may be), and shall continue vested in such persons until the First day of October One thousand eight hundred and Forty, or until Parliament shall sooner otherwise order, and shall immediately thereupon utterly cease and determine; and in all other cases all the estate, right, title and interest, and all the 15 20 25 30 35 40 the

the powers of such member or members of such Body Corporate, or of any such person or persons elected as aforesaid, in respect of the said uses and trusts, shall continue in the persons who at the time of this Act coming into operation shall be such Trustee or Trustees as aforesaid, notwithstanding that he or they, or such of them as shall have been a member or members of a Body Corporate as aforesaid, may have ceased to hold any office by virtue of which before the passing of this Act he or they was or were such Trustee or Trustees, and notwithstanding that he or they or any of them (whether a member or members of any such Body Corporate or a person or persons elected as aforesaid) may have gone out of office at any time after the day on which this Act shall have come into operation in such Borough, or otherwise would have ceased, if this Act had not been made, to be such Trustee or Trustees, until the First day of October One thousand eight hundred and Forty, or until Parliament shall sooner otherwise order, and shall immediately thereafter utterly cease and determine: Provided always, That if any vacancy shall be occasioned among such Charitable Trustees for any Borough before any other provision shall be made by Parliament, it shall be lawful for the Lord Chancellor of Ireland, or Lords Commissioners for the Custody of the Great Seal, then for the time being, upon petition in a summary way, to appoint a fit person to be Trustee to supply such vacancy; and all the estate, right, interest and title at law and in equity of and in such trust estates, hereditaments and premises, shall forthwith, without any conveyance or assignment thereof, pass to and be vested in the Trustee so appointed, jointly with the other Trustee or Trustees: Provided always, That where any hereditaments or any sums of money, debts or securities for money, or any other personal estate, held upon any charitable uses or trusts as aforesaid, or any part thereof, shall be exclusively applicable to or towards the establishment, maintenance or support of religious education or religious worship according to the principles of the Protestant Church of the United Kingdom of Great Britain and Ireland, or according to the principles of any Protestant Dissenters, or for the benefit of any person or persons being Protestants or any class or denomination of Protestant Dissenters, no person except a member of the said United Church, or (as the case may be) who shall not profess the principles of such class or denomination of Protestant Dissenters for the promoting whose education or worship, or for whose benefit any such property as aforesaid may be applicable, shall be appointed by the Lord Chancellor or Lords Commissioners for the Custody of the Great Seal to be a Trustee of such hereditaments or personal estate, or any part thereof; and if any person who shall be appointed such Trustee shall at any time thereafter profess any other religion than such as he shall have professed at the time of his appointment as

such Trustee, he shall thereupon cease to be such Trustee, and all his estate, right, title and interest, power and authority, in, to, over and upon such real and personal estate shall cease and determine, and such real and personal estate, power and authority, shall thereupon vest in his co-trustees in like manner as if he had died: 5
 Provided also, That nothing herein contained shall extend or be construed to extend to any Corporation of a House of Industry, Fever Hospital or County Infirmary in Ireland, or to the President and Assistants of the Charitable Society of Belfast, or to the Hos- 10
 pital and Free School of King Charles the Second, Dublin, com-
 monly called the Blue-coat Hospital, or any real or personal estate belonging thereto: Provided also, That, if Parliament shall not otherwise direct on or before the said First day of October, the Lord Chancellor of Ireland or Lords Commissioners of the Great Seal 15
 then shall make such orders as he or they shall see fit for the appointment of a Trustee or Trustees, and the administration of such trust estate, subject to such charitable uses or trusts as aforesaid; and thereupon the Trustee or Trustees so appointed shall come in the room of the persons heretofore named or continued as Trustees, and all the estate, right, interest and title at law and in equity of 20
 and in such trust estates, hereditaments and premises shall forthwith, without any conveyance or assignment thereof, pass to and be vested in the Trustees so appointed by the Lord Chancellor or Lords Commissioners of the Great Seal: Provided always, That no use or trust for cleansing, lighting, paving or supplying with water any 25
 city, town or borough shall be deemed a charitable use or trust within the meaning of the enactment hereinbefore contained.

74.
 Standing
 Governors of
 the Blue-coat
 Hospital,
 Dublin, at the
 time of this
 Act coming
 into opera-
 tion, to be
 constituted a
 body politic
 in place of
 the Lord
 Mayor,
 Sheriffs, &c.

AND whereas by Letters Patent of King Charles the Second, bearing date the Fifth day of December, in the Twenty-third year of his reign, the Lord Mayor, Sheriffs, Commons and Citizens of the City 30
 of Dublin and their Successors, are constituted a Body Politic and Corporate by the name of "The Governors of the Hospital and Free-school of King Charles the Second, Dublin:" AND whereas the government, management and direction of the said Hospital and Free-school are now exercised by Sixty-one standing Governors 35
 (whereof Four are the Treasurer for the time being and Three other Governors of the Schools founded by Erasmus Smith, Esquire), appointed by the Governors of the said school, in pursuance of an Act of the Parliament of Ireland, made in the tenth year of the reign of King GEORGE the First; BE it further Enacted, That from 40
 and immediately after this Act shall come into operation in the said City of Dublin, the persons who at that time shall be the Governors of the said Hospital, and the survivors of them, and their successors, to be appointed in manner hereinafter mentioned, shall be and they are hereby constituted a Body Politic and Corporate by the aforesaid
 name

name of "The Governors of the Hospital and Free-school of King Charles the Second, Dublin," in the place and stead of the said Lord Mayor, Sheriffs, Commons and Citizens of the said City of Dublin, who shall no longer be such Body Politic and Corporate, in like
 5 manner, to all intents and purposes, as if the said Sixty-one persons and the survivors of them, and their successors, had been the persons appointed by virtue of the said Letters Patent instead of the said Lord Mayor, Sheriffs, Commons and Citizens, and all and singular the hereditaments, sums of money, chattels, securities for money and
 10 other personal estate of the said Body Corporate constituted by the said Letters Patent, and all the estate, right, interest and title, and all the rights, powers, privileges and immunities of such Body Corporate; and all rights of action and suit vested in such Body Corporate shall be and are hereby vested in the Body Corporate hereby
 15 constituted in the place and stead thereof; and the Body Corporate hereby constituted shall be subject to the same liabilities, and governed according to the same regulations as the Body Corporate appointed by the said Letters Patent shall be subject to and governed by: Provided always, That the Treasurer for the time
 20 being and Three other Governors of the Schools founded by the said Erasmus Smith, such as the Governors of the said Schools shall from time to time choose and appoint, shall and they are hereby declared to be standing Governors of the said Hospital, in like manner as by the said Act of the tenth year of the reign of King GEORGE the
 25 First they were made Governors of the said Hospital: Provided also, That the Governors of the said Hospital hereby constituted shall never consist of less than Fifty, and that when and so often as any of the Governors hereby appointed or to be appointed as hereinafter is mentioned (other than the said Treasurer and Three
 30 other Governors of the said Schools founded by the said Erasmus Smith), shall depart this life, then it shall be lawful for the surviving Governors for the time being, or the major part of them present at any meeting duly held for that purpose, and they are hereby empowered to elect One or more person or persons in the place or
 35 places and as a successor or successors of the deceased Governor or Governors, or any of them, so as to make up with the surviving Governors the number at the least of Sixty Governors, including the said Treasurer and Three other Governors of the said Schools founded by the said Erasmus Smith; and every person so elected a
 40 Governor shall be a Governor jointly with the surviving Governors for the time being, and shall have the same powers and authorities as if he had been appointed a Governor by this Act.

And be it further Enacted, That from and immediately after this Act shall come into operation in the said City of Dublin, so much of the said Act of Parliament, passed in the Tenth year of the reign of

Governors of
Erasmus
Smith's
Schools in
place of the
Lord Mayor,
Recorder, &c.

King GEORGE the First as provides that the Lord Mayor and Recorder of the City of Dublin, then and for the time being, and two of the Aldermen of the said City, such as the Governors of the Schools founded by Erasmus Smith, Esquire, should from time to time select and appoint, should for ever thereafter be standing Governors of the said Schools, shall be and the same is hereby repealed; and that Four of the Governors for the time being of the said Hospital and Free School of King Charles the Second, Dublin, such as the Governors of the said Hospital and Free School for the time being, or the major part of them, shall from time to time select and appoint, shall for ever thereafter be standing Governors of the said Schools founded by the said Erasmus Smith.

76.
Corporation
to execute
Trusts.

And be it Enacted, That from and after the time when this Act shall come into operation in any Borough, the Body Corporate of such Borough shall be Trustees for executing by the Council of such Borough the powers and provisions of all Acts of Parliament made before the passing of this Act (other than Acts made for securing charitable uses and trust), and of all trusts (other than charitable uses and trusts), of which the Body Corporate, or any member or members of the said Body Corporate, in their corporate capacity, was or were sole Trustees before the time of the first election of Councillors in such Borough under this Act.

77.
Trusts pro-
ducing money
to be exe-
cuted by
Trustees ap-
pointed by
Chancellor.

And be it further Enacted, That in every case in which any Body Corporate named in the Schedule (A.) to this Act annexed, or any person or persons elected by any such Body Corporate, is or are Trustee or Trustees authorized to exercise any power or provisions of any Acts of Parliament for any purpose producing profits which or part of which are or is to be divided between shareholders or proprietors for their own benefit, then the powers and provisions of all such Acts shall, from and after the time when this Act shall come into operation, until Parliament shall otherwise provide, be executed by such Trustees as the Lord Chancellor of Ireland or Lords Commissioners for the custody of the Great Seal for the time being shall, by order to be from time to time made upon petition in a summary way, appoint and select, regard being had in such appointment to the rights of the several parties interested.

78.
As to election
of a limited
number of
Councillors to
be joint Trus-
tees for cer-
tain purposes.

And be it Enacted, That from and after the time when this Act shall come into operation in any Borough named in the said Schedule (A.) in which any one or more of the members of the Body Corporate, or any person or persons elected from among or out of the members of such Body Corporate or any of them, or any person or persons elected by such Body Corporate, or a particular or limited number, class or description of members of the Body Corporate, is or are or shall be when this Act shall so come into operation

ration Trustees jointly with other Trustees for the execution of any
 Act of Parliament, or of any trust other than any act or trust for
 which any other provision is hereby made, or by any statute,
 charter, bye-law, or custom, is or are or shall be when this Act
 5 shall so come into operation lawfully appointed to or authorized to
 exercise any powers, duties, or functions whatsoever not otherwise
 herein provided for, and the continuance of which is not inconsistent
 with the provisions of this Act, such acts, trusts, powers, duties and
 functions shall, after this Act shall have come into operation, be
 10 executed, exercised and performed by the member or members to
 be elected in pursuance of this Act of such Body Corporate, or the
 person or persons who shall hereafter correspond in office, mode of
 election and number with the member or members, person or persons
 by whom the same are or ought to be executed, exercised and per-
 15 formed before this Act shall have so come into operation ; and in case
 there shall be no member or members or person or persons after this
 Act shall have so come into operation who shall correspond as afore-
 said with such last-mentioned member or members, person or per-
 sons, then the Council of the Body Corporate shall, by writing under
 20 the seal of the Body Corporate, appoint the member or members,
 person or persons who in their judgment shall most nearly corres-
 pond with such member or members, person or persons, to execute,
 exercise and perform such acts, trusts, powers, duties and functions ;
 and the member or members, person or persons so appointed are
 25 hereby authorized and empowered to execute, exercise and perform
 the same as fully and effectually as the member or members, person
 or persons by whom the same are or ought to be executed, exercised
 and performed before this Act shall have so come into operation,
 until the appointment of another person or other persons in his or
 30 their room, as hereinafter provided ; and in every case in which any
 such member or members, person or persons as aforesaid is or are
 in pursuance of any such statute, charter, bye-law, custom, deed,
 will, or otherwise, elected or appointed for a definite term of years or
 other shorter term, then on the day or time named in such Act,
 35 charter, bye-law, deed or will as last aforesaid for a new election,
 nomination or appointment of Trustees, or on which such new elec-
 tion, nomination or appointment has usually been made ; and if he or
 they shall have been so elected or appointed for life or for an indefi-
 nite period, or if there shall be no such day named or usually observed,
 40 then upon the first day of January in every year, some other
 member or members, person or persons, or the same or any of them,
 if re-eligible, shall be elected as nearly as may be of the like number
 and in the like manner as the member or members, person or persons
 ceasing to be Trustees, or ceasing to exercise such powers, duties
 and functions, and in whose room he or they shall be appointed,
 and in every case of extraordinary vacancy among such Trustees or
 712. persons,

persons, another person shall be elected to supply such vacancy in like manner as nearly as may be as such extraordinary vacancy would have been supplied before this Act shall have so come into operation as aforesaid ; or where such vacancy cannot be supplied in such or the like manner, the Council shall forthwith appoint a Member or person in the room of the Member or person by whom such vacancy has been made, and every Member or person appointed to supply an extraordinary vacancy shall hold his trust or office for such time as the person by whom such vacancy has been made would regularly have held it.

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79.
Present
Trustees of
certain Acts
continued for
a definite
time.

And be it Enacted, That notwithstanding any thing in this Act contained, every member of any Body Corporate or of any particular number, class or description of members of such Body Corporate, or any person or persons elected from among or out of the members of such Body Corporate or any of them, or any person or persons elected by any particular number, class or description of members of such Body Corporate, who at the time of the passing of this Act shall be for a definite number of years or other shorter time a Trustee of such acts or trusts as last aforesaid, shall continue to be such Trustee until the time when he would have ceased to be such Trustee if this Act had not been passed ; and if a Trustee for an indefinite time, or for life, or for so long as he shall be a member, or of a particular class or description of such Body Corporate, then until the First day of January in the year following that in which this Act shall come into operation in that Borough, and no longer ; and every member of the Council appointed under the provisions of this Act to be a Trustee of such acts or trusts as last aforesaid, shall continue to be such Trustee until the time herein provided for the new appointment of a member of the Council to be Trustee in his room, notwithstanding that he may have ceased to be a member of the Council ; and in case any particular officer of any of the said Bodies Corporate shall have been appointed by any Act, charter, bye-law, deed, will or custom as aforesaid, to perform during a definite number of years or other shorter time any specific trusts, powers, duties or functions whatsoever, the person who at the time of the passing of this Act shall be the person designated and qualified to perform the same, shall continue to perform the same until the time when he would have ceased to perform the same if this Act had not passed ; and if appointed for an indefinite time, or for life, or for so long as he shall be a member, or of a particular class or description of such Body Corporate, then until the last-named First day of January, and no longer.

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80.
Powers
vested in
Trustees may
be transferred
to Council-
lors.

AND whereas it may be expedient that the Powers now vested in the Trustees appointed under sundry Acts of Parliament for paving or lighting or cleansing, or supplying with Water, or improving certain

certain Boroughs, or certain parts thereof, save and except as hereinafter mentioned, should be transferred to and vested in the Councils of such Boroughs respectively; BE it Enacted, That the Trustees appointed by virtue of any such Act as last aforesaid, wherein the Trustees, or the persons whose Trustees they may be, are not beneficially interested, may, if it shall seem to them expedient at a Meeting to be called for that purpose, transfer in writing all the powers vested in them as such Trustees by any such Act or Acts as aforesaid to the said Body Corporate of such Borough; and the said Body Corporate of such Borough shall thenceforth be Trustees for executing by the Council of such Borough the several powers and provisions of any such Act or Acts of Parliament, and the members of the Council shall have the same powers and be subject to the same duties as if their names had been originally inserted in such Act or Acts (or as if they had been elected under the provisions of any such Act or Acts) as such Trustees respectively: Provided always, That nothing herein contained shall extend to enable the Commissioners for paving, cleansing and lighting the streets of Dublin, or the Commissioners for making wide and convenient streets in the City of Dublin, or the Corporation for improving the Port and Harbour of Dublin, so to transfer the powers vested in them respectively.

AND whereas by an Act passed in the sixth year of the reign of his said late Majesty, intituled, " An Act to consolidate the Laws relating to the Constabulary Force in Ireland," it is among other things enacted, that it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland to appoint from time to time, at his will and pleasure, in and for each barony, half of barony, or other division of barony in each county at large, one Chief Constable, two Head Constables, and any number of Constables and Sub-constables not exceeding Sixteen: AND whereas the force thereby provided is less than may in some cases be required in Baronies which comprise large Towns: AND whereas it is reasonable that the expense of the additional Force required in such Towns should be borne by such Towns, and not by the Counties at large in which they are situated; BE it therefore Enacted, That if any Council of any Borough named in the Schedule (A.) to this Act annexed shall think it necessary that an additional Constabulary Force should be stationed in such Borough above the proportion of the said Force therein stationed under the provisions of the said last-recited Act, it shall be lawful for the Council of such Borough to present a Memorial to the Lord Lieutenant, setting forth the additional Constabulary Force which is required for the said Borough; and thereupon it shall be lawful for the Lord Lieutenant to add to the Constabulary Force of the County or Counties wherein such

81.
Provision for
additional
Constabulary
Force.

Borough shall be situated any such number of Constables, Sub-constables and Officers of the said Force, not exceeding the number required by the said Council in their Memorial, as he shall think fit; and the amount of the Constabulary Force stationed in the said Borough shall be increased accordingly, and such additional Force shall form part of the general Constabulary Force, and be subject in all respects to the same rules and discipline as the residue of the said Force. 5

82.
Payment of
the additional
Constabulary
Force.

And be it Enacted, That the expense of the said additional Force shall be advanced and defrayed in like manner as the expenses of the Force appointed by the last-recited Act are to be advanced and defrayed: Provided however, That no part of the expense of such increased Force shall be borne by the County or Counties at large in which such Borough shall be situated; but the said Borough for whose service the said increase shall be made shall bear such proportion of such expenses as the Counties at large under the said last-recited Act are bound to contribute towards the expenses of the Constabulary Force appointed for this service; and such expenses shall be paid out of the Borough Fund, and shall be paid by the Treasurer of the Borough to the person authorized to receive the monies which the County at large in which such Borough shall be situated is liable to pay towards the expenses of the said Force; and when any such Borough shall be situated in more than one County, then the Treasurer shall pay the said sums to such of the persons authorized to receive such payments from any of the said Counties as the Inspector-general of the Constabulary Force shall direct: Provided always, That it shall be lawful for the Lord Lieutenant, at any time he shall think fit, to reduce, either in the whole or part, the said additional Force; and it shall be also lawful for the Council of the said Borough in which such additional Force shall have been stationed to present from time to time a Memorial to the Lord Lieutenant, stating that they are desirous that the said Force should be reduced in the whole or in part, and thereupon the Lord Lieutenant shall, within Twelve calendar Months from the presentation of the said Memorial, make the required reduction in the said Force. 10 15 20 25 30 35

83.
Power for
Council to
order parts
of Borough,
not within
Local Acts as
to lighting, to
be included in
such Act.

AND whereas parts of certain Boroughs are within the provisions of one or more Local Act or Acts for regulating the lighting thereof, and certain other parts of the same Boroughs are not within the provisions of any Local Act for regulating the lighting thereof, and for want of such lighting great facilities may be afforded for the commission of crimes and for the escape of the offenders; FOR Remedy thereof, BE it Enacted, That it shall be lawful for the Council of any Borough in any part of which there is a Local Act for 40

for the lighting thereof, to make an order that any part of such Borough, not being within the provisions of any Local Act for the lighting thereof, shall, from and after a certain day to be named in such order, be taken to be within the provisions of such Local Act or Acts for lighting any part of such Borough as the Council shall specify in such order; and after such day the part named in such order shall be within the provisions of the Act or Acts so specified, so far as relates to lighting, or to any rates authorized to be levied for the purpose of lighting, as fully as if such part had been originally named in such Act or Acts, any thing in such Act or Acts to the contrary notwithstanding: Provided always, That every part named in such order shall be lighted in the like manner as those parts which before the making of such order were within the provisions of such Local Act, and that the Rate to be raised for the purpose of defraying the expenses of lighting any part so named in such order shall not exceed the average expense in the pound of the lighting of the other parts of such Borough.

Proviso as to
Amount of
Rate for
lighting.

And be it Enacted, That the Council of any Borough named in the said Schedule (A.) shall have and exercise on the First day of January next after this Act shall come into operation in such Borough the Powers given to the Commissioners under an Act made in the ninth year of the reign of his Majesty King GEORGE the Fourth, intituled, "An Act to make Provision for the lighting, cleansing and watching of Cities, Towns Corporate, and Market Towns in Ireland, in certain cases," so far as relates to the lighting of any part of such Borough which is not within the provisions of any Local Act for lighting the same, and the powers and duties vested in such Commissioners (if any) in regard to lighting shall thereupon cease and determine; but the Council shall and they are hereby authorized and required to levy Rates for the purpose of lighting such part of the Borough, not according to the powers contained in the said Act of the ninth year of the reign of his Majesty King GEORGE the Fourth, but according to the provisions hereinafter contained for levying and raising a Borough Rate.

84.
Council may
assume the
powers of
Commissioners under
9 G. 4. c. 82,
for paving,
lighting or
cleansing
Streets of
any Borough.

And be it Enacted, That it shall be lawful for the Council of any Borough to make such Bye Laws as to them shall seem meet for the good rule and government of the Borough, and for prevention and suppression of all nuisances as are not already punishable under any Act already in force throughout such Borough, and to appoint by such Bye Laws such fines as they shall deem necessary for the prevention and suppression of such offences: Provided, That no fine so to be appointed shall exceed the sum of Five Pounds, and that no such Bye Law shall be made unless at least Two-thirds of the whole number of the Council shall be present: Provided also, That

85.
Council to
have power
to make Bye-
laws.

no such Bye Law shall be of any force until the expiration of Forty Days after the same or a copy thereof shall have been sent, sealed with the Seal of the said Borough, to the Lord Lieutenant, and shall have been affixed on the outer door of the Town Hall, or in some other public place within such Borough; and if at any time within the said period of Forty Days the Lord Lieutenant, with the advice of the Privy Council of Ireland, shall disallow the same Bye Law, or any part thereof, such Bye Law, or the part thereof disallowed, shall not come into operation: Provided also, That it shall be lawful for the Lord Lieutenant at any time within the said period of Forty Days to enlarge the time within which such Bye Laws, if disallowed, shall not come into force, and no such Bye Law shall in that case come into force until after the expiration of such enlarged time.

86.
Bye-laws to
be printed.

And be it Enacted, That the Town Clerk of every Borough shall, under the directions of the Council thereof, cause all the Bye Laws and Regulations in force in such Borough from time to time to be printed in a uniform and convenient form, and shall keep copies thereof publicly affixed in the office of such Town Clerk, and in every public office and Court of such Borough of or belonging to or connected with the Corporation thereof, for the free and open inspection of all persons, without any fee, at all reasonable hours, and shall deliver a copy of such Bye Laws and Regulations to any person requiring the same, on payment of such reasonable price for the same as the Council shall from time to time direct; and if any person shall wilfully and maliciously pull down, destroy or deface any copy of such Bye Laws and Regulations which shall be so affixed as aforesaid, such person shall for every such offence forfeit and pay any sum not exceeding Twenty Shillings: Provided further, That no Bye Law to be made by the Council of the Boroughs of Coleraine and Londonderry respectively shall be sent to the Lord Lieutenant until the same shall have been approved of by the Honourable Society of the Governor and Assistants of London of the New Plantation in Ulster within the Realm of Ireland.

87.
As to breaches
of Bye-laws.

And be it Enacted, That all the provisions hereinafter contained relative to offences against this Act, punishable upon summary conviction, shall be taken to apply to all offences committed in breach of any Bye Law or Regulation made by virtue of this Act.

88.
All Corporate
Property and
all Fines to
be received
on account of
the Borough
Fund.

And be it Enacted, That after the election of the Treasurer in any Borough, the rents, issues and profits of all hereditaments, estates and tenements, and the interest, dividends and annual proceeds of all monies, dues, chattels and valuable securities, except those vested or continued in other Trustees as aforesaid, belonging or payable

payable to any Body Corporate named in conjunction with the said Borough in the said Schedule (A.), or to any member or officer thereof in his corporate capacity, and every fine or penalty for any offence against this Act (the application of which has not been
5 herein provided for) shall be paid to the Treasurer of such Borough; and all the monies which he shall so receive shall be carried by him to the account of a fund to be called "The Borough Fund."

And be it Enacted, That the Treasurer of any Borough named
10 in the said Schedule (A.) shall pay no money on account of the Mayor, Aldermen and Burgesses of such Borough, save only in such case as is provided by this Act, or upon the order in writing of the Council, signed by Three or more Members of the Council, and countersigned by the Town Clerk of such Borough, or for the pay-
15 ment of the salaries granted to any Recorder or Police Magistrate as hereinafter provided, or by order of the Court of Sessions of the Peace for the Borough, or of a Justice of the Peace acting in and for the Borough in the discharge of his judicial duty, in such case as is provided by this Act, or in such case as a Court of Sessions of
20 the Peace for any County, or a Justice of the Peace acting in and for a County in the discharge of his judicial duty, may make an order for the payment of money on the Treasurer of such County, and that of any such order any Burgess shall be at liberty at all seasonable times to make a copy or take an extract therefrom.

89.
Treasurer to pay no Money but by Order of Council.

AND whereas it is expedient to give all persons interested in the Borough Fund of any Borough a more direct and easy remedy for any misapplication of such Fund; BE it therefore Enacted, That any order of the Council of any Borough named in the said Schedule (A.) for the payment of any sum of money from or out of the
30 Borough Fund of any such Borough may be removed into the Court of Queen's Bench by Writ of Certiorari, to be moved for according to the usual practice of the said Court with respect to Writs of Certiorari, and that such order may be disallowed or confirmed upon motion and hearing, with costs, according to the judg-
35 ment and discretion of the said Court.

90.
Orders for payment of Money may be removed into the Court of Queen's Bench by certiorari.

And be it Enacted, That the Borough Fund, subject to the payment of any lawful debt due from such Body Corporate to any person which shall have been contracted before the passing of this Act, and unredeemed, or of so much thereof as the Council of such
40 Borough from time to time shall be required or shall deem it expedient to redeem, and to the payment from time to time of the interest of so much thereof as shall remain unredeemed, and saving all rights, interests, claims or demands of all persons or Bodies

91.
Salaries of Recorder, Town Clerk, Treasurer, and other Officers and Election Expenses to be paid out of such Fund.

Corporate in or upon the real or personal estate of any Body Corporate, by virtue of any proceedings either at law or in equity, which have been already instituted or which may be hereafter instituted, or by virtue of any mortgage or otherwise, shall be applied towards the following purposes ; (that is to say) the payment of the salary of the Mayor and of the Recorder and of the Police Magistrate hereinafter mentioned, when there is a Recorder or Police Magistrate, and of the respective salaries of the Town Clerk and Treasurer, and of every other Officer whom the Council shall appoint, and also toward the payment of the expenses incurred from time to time in preparing and printing burgess rolls and ward lists and notices, and in other matters attending such elections as are herein mentioned ; and in Boroughs which shall have a separate Court of Sessions of the Peace, as is hereinafter provided, towards the expenses of the prosecution, maintenance and punishment of offenders committed from the Borough for trial at the Sessions of the Peace for such Borough ; and towards the expense of providing and maintaining the Corporate Buildings ; and in all Boroughs in or towards the payment of all other municipal expenses which shall be necessarily incurred in carrying into effect the provisions of this Act ; and in case the Borough Fund shall be more than sufficient for the purposes aforesaid, the surplus thereof shall be applied towards the paving, cleansing and lighting the streets of the Borough by or under the direction of the Council, or by any Trustees appointed by any Act or Acts of Parliament for paving, cleansing and lighting the streets, or any of such purposes, where the powers of such Acts shall not have been transferred to the Council, and for the public benefit of the inhabitants and improvement of the Borough.

92.
Tolls or Dues payable before the passing of this Act not to be altered or reduced until payment of the Debt chargeable thereon.

Provided always, and be it Enacted, That it shall not be lawful for the Council to be elected under the provisions of this Act in any Borough in which the Body Corporate named in conjunction with the said Borough in the said Schedule (A.) before the time of the passing of this Act, shall have contracted any lawful debt chargeable on any tolls or dues belonging or payable to the said Body Corporate, or to any member or officer thereof in his corporate capacity, or towards the satisfaction whereof such tolls or dues or any part thereof were applicable before the passing of this Act, to alter or reduce the amount to be levied and payable of such tolls or dues, or to grant for any consideration any remission of or exemption from such tolls or dues, or any part thereof, unless with the consent in writing under the hands of a majority in number and amount of the creditors to whom such debt is due, until after such debt and all arrears of interest due thereon shall have been fully paid and satisfied : Provided always, That nothing in this Act contained

contained shall be construed to affect any tolls or dues paid before the passing of this Act to any member or officer of any Body Corporate in his corporate capacity, by permission of the true and real owner thereof.

5 And be it Enacted, That in case, after payment of all debts due from such Body Corporate, and contracted before the passing of this Act, and after satisfaction of all lawful claims upon the real and personal estate of such Body Corporate, the Borough Fund shall not be sufficient for the purposes aforesaid, or in case there shall be no
10 Borough Fund, the Council of the Borough is hereby authorized and required from time to time to estimate, as correctly as may be, what amount, in addition to such fund, or when there shall be no such fund, will be sufficient for the payment of the expenses to be incurred in carrying into effect the provisions of this Act; and in order
15 to raise the amount so estimated, and also for the purpose of defraying the expenses of putting this Act into execution which may have been incurred before the making of any Borough Rate, the said Council is hereby authorized and required from time to time to order a Borough Rate to be made within their Borough, and for that purpose
20 the Council of such Borough shall have within their Borough all the powers and authorities which any Commissioners in any Borough in Ireland have within the limits of their Commission by virtue of the said last-recited Act of the ninth year of the reign of his Majesty King GEORGE the Fourth, and shall observe and preserve
25 the provisions thereof as if the same were herein recited, or as near thereto as the nature of the case will admit, except that every such Rate shall be and is hereby authorized to be levied and raised in an equal and uniform manner from and off the owners, occupiers and tenants of all houses, shops, warehouses, cellars, mills, yards,
30 gardens, lands and tenements within such Borough, according to the yearly value at which the same shall be estimated, for the purpose of a rate for the relief of the Poor in Ireland, except any such premises of which the yearly value, estimated as aforesaid, shall be under the value of Five Pounds; and all such sums levied in pursuance of such Borough Rate shall be paid over to the account
35 of the Borough Fund.

93.
Council authorized to raise Funds for payment of Expenses incurred in carrying this Act into execution.

And be it Enacted, That nothing in this Act contained shall be construed to render liable to the payment of any debt contracted before this Act shall come into operation in any Borough by any
40 Body Corporate any part of the real or personal estate of the said Body Corporate which before this Act shall have so come into operation was not liable thereto, or to authorize the levy of any rate within any part of any Borough for the purpose of paying any Debt contracted before the passing of this Act, which before the

94.
Act not to render Corporate Property liable for Debts not chargeable thereon, nor to authorize the levy of new Rates for payment of Debts.

passing of this Act could not lawfully be levied therein towards the payment of the same.

95.

Accounts of Receipts and Disbursements to be kept, audited and published.

And be it Enacted, That the Treasurer of every Borough named in the said Schedule (A.) shall, in Books to be kept for that purpose, enter true accounts of all sums of money by him received 5
and paid on account of the purposes of this Act, and of the several matters for which such sums shall have been paid ; and the books containing such accounts shall at all reasonable times be open to the inspection of the Mayor or any of the Aldermen or Councillors of such Borough ; and it shall be lawful for the Mayor or for any 10
Alderman or Councillor, at all seasonable times, to make any copy of or take any extract from any such book ; and all the accounts, with all vouchers and papers relating thereto, shall, in the months of March and September in every year, be submitted by the Treasurer of the Borough to the Auditors hereinbefore provided to be elected, 15
and to such member of the Council as the Mayor shall name as a third Auditor, on the First day of March in every year, or in case of extraordinary vacancy within Ten Days next after such vacancy, for the purpose of being examined and audited, from the First day of September in the year preceding to the First day of March, and from 20
the First day of March to the First day of September in the year in which the said Auditors were elected and named ; and if the said accounts shall be found to be correct, the Auditors shall sign the same ; and after such accounts shall have been so respectively examined and audited in the month of September in every year, each 25
Treasurer shall make out in writing, and shall cause to be printed, a full abstract of his accounts for the year, and a copy thereof shall be open to the inspection of all the Rate-payers of such Borough, and copies thereof shall be delivered to all Rate-payers of such Borough applying for the same, on payment of One Shilling for each 30
copy.

96.

Remedy for misapplication of Property.

AND whereas many of the said Municipal Corporations in Ireland have been and now are seised and possessed of or entitled to divers lands, tenements and hereditaments, and the same have been granted to them and ought to be vested in them for the public benefit 35
of the said Boroughs respectively ; and it is expedient to make further provision than now by law exists for preventing or remedying the waste and misapplication of such property, and of all other property which may hereafter be so granted to or acquired by Municipal Corporations for municipal purposes ; BE it Enacted, That in case of 40
waste or misapplication of any such property, or of any breach of trust in respect thereof, or wherever the direction, decree or order of a court of equity shall be deemed necessary' for the due administration and application of any such property, it shall be lawful for

Her

Her Majesty's Attorney General for Ireland, or for any Two or more Burgesses of such Borough, to present a petition to the Court of Chancery, or to the Court of Exchequer in Ireland, stating such complaint, and praying such relief as the nature of the case may require ;
 5 and it shall be lawful for the Lord Chancellor, Lord Keeper or Lords Commissioners of the Great Seal, or the Master of the Rolls, for the time being, and for the Court of Exchequer, and they are hereby required to hear such petition in a summary way, and to direct all such persons as they shall consider necessary to answer to same, and
 10 if necessary to issue a commission for the examination of witnesses, and on their depositions, or upon affidavits or such other evidence as shall be produced upon such hearing, to determine the same, and to give such relief and make such order therein, and with respect to the costs of such application, and to enforce the same by injunction
 15 or otherwise, as to him or them shall seem just ; and such order shall be final and conclusive, unless the party or parties who shall think himself or themselves aggrieved thereby shall, within Two Years from the time when such order shall have been passed and entered by the proper officer, have preferred an appeal from such decision to the
 20 House of Lords, to whom it is hereby declared and enacted that an appeal shall lie from such order.

And be it Enacted, That neither the petitions, nor any proceedings upon the same or relative thereto, nor the copies of any such petitions or proceedings, shall be subject or liable to the payment of
 25 any stamp duty, charge for Chancery or other Court Fund, or other public charge whatever, save only the actual expense of making a copy when any copy shall be required from any of such courts.

97.
 Proceedings
 not liable to
 Stamp Duty.

And be it Enacted, That it shall not be lawful for any Body Corporate of any Borough named in the said Schedule (A.), at any
 30 time after the passing of this Act, to sell, mortgage or alienate the lands, tenements and hereditaments of the said Body Corporate, or any part thereof, except in pursuance of some covenant or contract or agreement bonâ fide made or entered into on or before the Fifth day of June in the year One thousand eight hundred and
 35 Thirty-five, by or on behalf of the Body Corporate of any Borough, or of some Resolution duly entered in the Corporation Books of such Body Corporate on or before the said Fifth day of June, or to demise or lease, except in pursuance of some covenant, contract or agreement bonâ fide made or entered into on or before the said Fifth
 40 day of June by or on behalf of such Body Corporate, or in pursuance of some resolution duly entered in the Corporation Books of such Body Corporate on or before the said Fifth day of June, except in the cases hereinafter mentioned, any lands, tenements or hereditaments of such Body Corporate, or any part thereof, or to
 enter

98.
 Power of sale
 and leasing
 restrained.

enter into any new contract or agreement, except in the cases hereinafter mentioned, for demising or leasing the said lands, tenements and hereditaments, or any part thereof, for any term exceeding Thirty-one Years from the time when such lease shall be made, or if made in pursuance of a previous agreement, then from the time when such agreement shall have been entered into; and in every lease which the said Council is not hereby restrained from making there shall be reserved and made payable, except in the cases hereinafter mentioned, during the whole of the term thereby granted, such clear yearly rent as to the Council shall appear reasonable, without taking any fine for the same.

99.
Provision in
certain cases
of leasing.

Provided always, and be it Enacted, That in all cases in which any Body Corporate shall on the Fifth day of June in the year One thousand eight hundred and Thirty-five have been bound or engaged by any covenant or agreement, express or implied, or have been enjoined by any deed, will or other document, or have been sanctioned or warranted by ancient usage, or by custom or practice, to make any renewal of any lease for years, or for life or lives, or for years determinable with any life or lives, at any fixed or determinate or known or accustomed period, or after the lapse of any number of years, or on the dropping of any life or lives, at a fine certain, or under any special or specific terms or conditions, and also in all cases in which any Body Corporate shall theretofore have ordinarily made renewal of any lease for years or for life or lives, or for years determinable with any life or lives, at any fixed or determinate or known or accustomed period, or after the lapse of any number of years, or upon the dropping of any life or lives, upon the payment of an arbitrary fine, it shall be lawful for the Council of such Borough to renew such lease for such term or number of years, either absolutely or determinable with any life or lives, or for such life or lives, and at such rent, and upon the payment of such fine or premium, either certain or arbitrary, and with or without any covenant for the future renewal thereof, as such Body Corporate could or might have done in case this Act had not been passed : Provided nevertheless, That in every case in which such Council shall deem it expedient to sell and alienate, or to demise and lease for a longer term than Thirty-one Years, or upon different terms and conditions than those hereinbefore mentioned, any of the said lands, tenements or hereditaments, it shall be lawful for such Council to represent the circumstances of the case to the Commissioners of Her Majesty's Treasury ; and it shall be lawful for such Council, with the approbation of the said Commissioners or any Three of them, to sell, alienate and demise any of the lands, tenements and hereditaments of the said Body Corporate in such manner and on such terms and conditions as shall have been approved

proved by the said Commissioners : Provided always, That notice of the intention of the Council to make such application as aforesaid shall be fixed on the outer door of the Town Hall, or in some public or conspicuous place within the Borough, One calendar Month at least before such application ; and a copy of the Memorial intended to be sent to the said Commissioners shall be kept in the Town Clerk's office during such calendar month, and shall be freely open to the inspection of every Burgess at all reasonable hours during the same.

10 Provided nevertheless, and be it Enacted, That in any of the instances hereinafter mentioned, it shall be lawful for the Council from time to time to demise and lease, or to enter into any contract or agreement for demising and leasing, either at a reserved rent or fine, or both, as the Council shall think fit, any of the said lands, 15 tenements or hereditaments to any person, body politic, corporate or collegiate, for any term not exceeding Seventy-five Years from the time of making such lease or agreement ; (that is to say) of tenements or hereditaments the greater part of the yearly value of which shall at the time of making the lease or agreement consist 20 of any building or buildings, of land or ground proper for the erection of any houses or other buildings thereupon, with or without gardens, yards, curtilages or other appurtenances to be used therewith ; and where the lessee or intended lessee shall covenant or agree to erect a building or buildings thereon of 25 greater yearly value than such land or ground, or land or ground proper for gardens, yards, curtilages or other appurtenances, to be used with any other house or other building erected or to be erected on any such ground, belonging either to such Body Corporate or to any other proprietor, or proper for any other purpose 30 calculated to afford convenience or accommodation to the occupiers of any such house or building.

100.
Leases of certain Buildings, and of Ground for building on, or for making Gardens, &c. may be made for Seventy-five Years.

And be it Enacted, That it shall be lawful for the Council first to be elected in any Borough under the provisions of this Act to call in question all purchases, sales, leases and demises not made in 35 pursuance of some such bonâ fide covenant, contract, agreement or resolution made and entered into as aforesaid before the said Fifth day of June, and all contracts for the purchase, sale, lease or demise of any lands, tenements and hereditaments, and all divisions and appropriations of the monies, goods and valuable securities, or any part of 40 the real or personal estate, of which on or before the said Fifth day of June the Body Corporate of which they are the Council, whether in their own right or as Trustees for charitable or other purposes, was seised or possessed, which shall have been made or contracted between the said Fifth day of June and the day of the

101.
Collusive Purchases, Sales and Demises of Corporate Property since the 5th June 1835, for undue consideration, may be set aside.

declaration of their election; and for that purpose, if it shall
 appear to the said Council that there is ground for believing that
 any such purchase, sale, lease or demise, or such contract or such
 division or appropriation of the premises, was collusively made for
 no consideration, or for an inadequate consideration, it shall be 5
 lawful for the Council of such Borough, at any time within Six
 calendar Months next after the first Election of Councillors under
 this Act shall have been declared in such Borough, upon notice of
 their intention being first given in the Dublin Gazette, and also
 affixed on the outer door of the Town-hall or in some public place 10
 within the Borough, to cause the value of the lands, tenements,
 hereditaments and premises in question to be inquired of and found
 by a Jury of Twelve indifferent men of the County in which or
 adjoining to which in the case of all Counties of Cities and Towns
 Corporate, such lands, tenements, hereditaments or premises do lie; 15
 and in order thereto the said Council is empowered to summon and
 call before such Jury all persons having the custody and possession
 of any deed or agreement concerning the said lands, tenements,
 hereditaments and premises made or entered into since the said Fifth
 day of June, and to cause all such deeds and agreements to be pro- 20
 duced before the said Jury, and examined by them, and to examine
 upon oath every person who shall be thought necessary to be
 examined (which oath the Mayor is hereby empowered to admin-
 ister); and the Council shall, by ordering a view or otherwise, use
 all lawful means for the information as well of themselves as of the 25
 said Jury in the premises; and the Jury shall find the value of the
 said lands, tenements, hereditaments and premises, and the consi-
 deration which shall have been given, and also that which ought of
 right to have been given, for the purchase, sale, lease, demise or
 appropriation thereof, according to the terms of such purchase, sale, 30
 lease, demise, contract or appropriation, and taking into account all
 the circumstances under which the same shall have taken place;
 and if the Jury by their oaths shall find that no consideration, or a
 consideration less than that which they shall have so found to be the
 value which ought therefor to have been given, shall have been col- 35
 lusively given or contracted to be given by the terms of any such
 purchase, sale, lease, demise, contract or appropriation, the party to
 such purchase, sale, lease, demise, contract or appropriation shall
 have his option either to re-convey and restore the lands, tenements,
 hereditaments and premises in question, and to abandon the contract 40
 to which he shall have been party, upon receipt in each case of the
 consideration, if any, which he shall have given for the same, or to
 give in each case such additional consideration, so that the whole
 consideration given shall be that which ought of right to have been
 given so found by the Jury as aforesaid; and in every such case as
 last aforesaid, the additional consideration given or to be given shall
 be

be indorsed on the original deed or conveyance, and unless he shall so do within One calendar Month next after the finding of the Jury, every such purchase, sale, lease, demise, contract and conveyance shall be absolutely void and of none effect as against the

5 said body corporate and their successors ; and in every case in which any such contract shall have been abandoned as aforesaid, or in which any such purchase, sale, lease, demise, contract or conveyance shall become void and of none effect, under the provisions of this Act, the party who would otherwise have had the

10 benefit of the same shall be remitted to his former estate, title and interest (if any) in the premises as if no such contract, purchase, sale, lease or demise had been made or entered into ; and for summoning and returning such Juries, and for imposing fines on the Sheriff, his deputy, bailiff or agent, and on the persons

15 summoned and returned on the said Jury, and on any person required to give evidence, who shall in this behalf contravene the provisions of this Act, the Council of every such Borough shall have all the powers which the Superior Courts of Record in Dublin have ; and all the costs of the said Jury, and of all witnesses

20 tendered by the said Council to be examined before the said Jury, shall in every case be borne by the Council, and paid out of the Borough Fund : Provided nevertheless, That it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland for the time being, if he or they shall think fit, by the advice of the

25 Privy Council, upon petition to him or them setting forth the special circumstances under which any purchase, sale, lease, demise, contract, or appropriation of any of the said lands, tenements, hereditaments, and premises shall have been made since the Fifth day of June, to order that the same shall not be called in question under the

30 provisions of this Act ; and in such case as last aforesaid the same shall not be called in question or set aside or affected under the provisions of this Act : Provided also, That in every case in which such petition shall have been presented it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland

35 for the time being, if he or they shall think fit, to enlarge the time within which (in case he or they shall not think fit to make such order as aforesaid) the Council may have power as aforesaid to call in question any purchase, sale, lease, demise, contract, or appropriation referred to in such petition : Provided also, That

40 nothing herein contained shall be construed to give or shall give any effect or validity to any sale, demise or other disposition of or any agreement relating to any lands, tenements, hereditaments, or other property which at any time belonged to any Corporate Body, but that the validity of such agreement, sale, demise or other disposition shall be liable to be questioned in any Court of

Law or Equity by the Council of the Borough," or any Burgess or Freeman or other person, as fully as if this Act had not been passed.

102.
Sale of Advowsons, &c.

And be it Enacted, That in every case in which a Body Corporate, or any particular class, number or description of members, or the governing Body of any Body Corporate, now is or are in their corporate capacity, and not as charitable trustees, according to the meaning and provisions of this Act, seised or possessed of any manors, lands, tenements or hereditaments whereunto any Advowson or right of nomination or presentation to any Benefice or Ecclesiastical Preferment is appendant or appurtenant, or of any Advowson in gross, or hath or have any right or title to nominate or present to any Benefice or Ecclesiastical Preferment, every such Advowson, and every such right of nomination and presentation shall be sold at such time and in such manner as the Ecclesiastical Commissioners for Ireland may direct, so that the best price may be obtained for the same; and it shall be lawful for the Council of such Body Corporate, and they are hereby authorized and required, with the consent of the said Commissioners, or any Three or more of them, in writing under their hands, to convey and assure, under the Common Seal of such Body Corporate, such Advowson or such right of nomination or presentation as aforesaid, to the purchaser or purchasers thereof respectively, his or their heirs, executors, administrators and assigns, or to such uses as he or they shall direct; and the proceeds of every such sale shall be paid to the Treasurer of the Borough, whose receipt shall be a sufficient and effectual discharge to the purchaser or purchasers to whom the same shall be given for the amount of his or their purchase money; and it shall be lawful for the Council of such Borough, to direct that such purchase money, or any part thereof, shall be applied towards the liquidation of any debt contracted before the passing of this Act by the Body Corporate now seised of or entitled to the property so sold, and if it shall not be so applied it shall be invested in Government securities for the use of the Body Corporate, and the annual interest payable thereon shall be carried to the account of the Borough Fund: Provided always, That in any case of vacancy arising before any such sale shall have taken place and been completed, such vacancy shall be supplied by the presentation or nomination of the Bishop or Ordinary of the diocese in which such Benefice or Ecclesiastical Preferment is situated.

103.
Certain Provisions of 1 & 2 Vict. c. 32, extended to Ireland.

And be it Enacted, That the several provisions contained in an Act passed in this present Session of Parliament, intituled, "An Act for facilitating the Sale of Church Patronage belonging to Municipal Corporations in certain cases," shall, so far as the same are

are applicable, be extended to every right of nomination similarly circumstanced which shall at the time of passing this Act be vested in any Municipal Corporation in Ireland, or in any member of such Corporation in virtue of his office as such, and every such right of nomination shall become a Benefice Presentative, and the Curate or Minister presented thereto shall be a Body Politic and Corporate.

Provided always, and be it Enacted, That the Body Corporate called "The Warden and Vicars Choral of the Royal College or Collegiate Church of Galway" shall continue in force unless and until the same shall be dissolved by the said Ecclesiastical Commissioners in manner hereinafter mentioned; and the Vicars Choral of the said College or Collegiate Church shall respectively continue to be such Vicars Choral during their respective lives, or until they respectively shall resign or be removed from such Benefices respectively, or the said College shall be dissolved in manner hereinafter mentioned; and that any resignation made by the said present Warden and Vicars Choral, or any of them, of their respective Benefices, to the Archbishop of Tuam for the time being, shall be valid and effectual; and the said Ecclesiastical Commissioners shall and they are hereby authorized and empowered, if they shall think proper, by any instrument in writing under their Corporate Seal, with the consent of the Lord Lieutenant and of Her Majesty's Privy Council in Ireland in Council assembled (Six at least consenting), and with the consent of the Archbishop of Tuam, to declare that the said College and Collegiate Church of Galway shall be dissolved upon the death, resignation or removal of the said present Warden; and that the Vicarage of Galway, the Vicarage of Mary, the Rectories of Rowes and Moccullen, the Rectory and Vicarage of Trowranmore, the Vicarage and Rectory of Rosscam, the Vicarages of Clare and Kilmouran, the Vicarages of Shrome, in the diocese of Armagh, Tuam and the Vicarage of Skryen, in the diocese of Tuam, which now belong to the said College or Collegiate Church of Galway, shall thereupon be divided into such separate and distinct benefices or parishes as they shall think proper; and that the parcel of Tithes in the said Town of Galway, vulgarly called "The Bishop's Quarter," and the churches or churchyards and burial places, and other the revenues, tithes, profits and emoluments now belonging to the said College or Collegiate Church of Galway, shall be divided among and united to the said distinct parishes or benefices respectively as they shall direct; and that such persons as shall be Vicars Choral of the said College or Collegiate Church at the time of such dissolution shall become the Incumbents of such of the said distinct parishes and benefices respectively as the said Ecclesiastical Commissioners shall thereby direct; and if such dissolution shall be made as aforesaid, the said College or Collegiate Church shall be

104.
Provision
respecting the
Warden and
Vicars Choral
of Galway.

dissolved upon the death, resignation or removal of the said present Warden ; and the said Vicarages and Rectories shall thereupon become distinct benefices and parishes accordingly ; and each of the persons who at the time of such dissolution shall be a Vicar Choral of the said College or Collegiate Church shall thereupon by virtue of this Act, and without any presentation, induction, institution or other ceremony, become Rector or Vicar of the distinct benefice or parish of which such Vicar Choral shall be directed as aforesaid to become the Rector or Vicar ; and the advowson, right of presentation and nomination to the said offices of Warden and Vicars Choral of the said College or Collegiate Church of Galway, or in case the same shall be dissolved as aforesaid, the advowson or right of nomination or presentation to each of the distinct benefices or parishes into which the Rectories and Vicarages aforesaid shall be divided, shall be sold by the Council of Galway, with the consent of the said Ecclesiastical Commissioners, and the purchase-money shall be applied in like manner as in the case of any other advowson is hereby directed to be sold, and they are hereby empowered to make a valid grant and conveyance thereof to any purchaser or purchasers accordingly ; and in case of the dissolution of the said College or Collegiate Church, all the Ecclesiastical Jurisdiction and powers belonging thereto, or to the Warden thereof, shall be and are hereby vested in the Archbishop of Tuam for the time being.

105.
Councils to
transmit
yearly Ac-
counts of
Income and
Expenditure
to Lord Lieu-
tenant, and
an Abstract
thereof to be
laid before
Parliament.

And be it Enacted, That the Council of every such Borough in which this Act shall be in operation, and the Commissioners of every Town in which Commissioners shall be appointed by virtue of the provisions hereinafter contained shall, before the First day of February in each year, transmit to the Lord Lieutenant or Chief Governor, for the time being, of Ireland, a statement of all monies received and expended on account of such Corporation or Commissioners (as the case may be) within the year preceding, which statement shall be prepared in such form and manner as the Lord Lieutenant shall direct, and such accounts shall refer and be made up to the audit next before the First of January of the year in which such account is hereby required to be so transmitted ; and an abstract of such statements and accounts, under general heads, shall be laid before both Houses of Parliament, during their sitting, in the same year in which they are hereby required to be transmitted as aforesaid.

106.
In Cities and
Towns which
are Counties
Sheriff to be
appointed.

And be it Enacted, That in each and every of the Counties of the Cities of Cork, Dublin, Kilkenny, Limerick and Waterford, and in the Counties of the Towns of Drogheda and Galway, which respectively are Boroughs named in the said Schedule (A.), and also in the County of the Town of Carrickfergus, before the Twenty-ninth

ninth day of September in the year following the year in which this Act shall come into operation in each of the said Cities and Towns respectively, and every succeeding year, a Sheriff shall be nominated and appointed by the Lord Lieutenant of Ireland in the same manner to all intents and purposes as the Sheriff of any County at large in Ireland is now by law nominated and appointed ; and every person who at the time when this Act shall come into operation in any of the said Cities or Towns shall hold the office or execute the duties of Sheriff in the said Counties of Cities and Towns respectively shall continue to hold and execute the same until the first appointment of a Sheriff therein under the provisions of this Act, and no longer : Provided always, That if when this Act shall come into operation in any of the said Counties of Cities or Towns there shall be a Sheriff Elect he shall come into office at the same period as if this Act had not passed, and shall hold his office until the appointment of a Sheriff in that City or Town under this Act : Provided also, That if this Act shall come into operation in any such City or Town more than One calendar Month before the Twenty-ninth day of September in any year, the first Sheriff of the County of that City or Town to be appointed under this Act shall be appointed before the Twenty-ninth day of September in the same year.

And be it Enacted, That after the passing of this Act a Sheriff of the County, named the City and County of Londonderry, shall be nominated and appointed by the Lord Lieutenant of Ireland, in the same manner to all intents and purposes as the Sheriff of any other County at large in Ireland is now nominated and appointed ; and until the Sheriff first to be nominated and appointed for the said County of Londonderry under the provisions of this Act shall enter upon his office, the persons who at present fill the office of Sheriffs of the said City and County of Londonderry, or the survivor of them, shall be and remain the Sheriffs or Sheriff of the County of Londonderry, and shall fulfil and execute the duties of the said office.

107.
City and
County of
Londonderry
to be a
County, the
Sheriff of
which to be
nominated by
the Crown.

And be it Enacted, That the Council of every Borough in which a separate Court of Quarter Sessions of the Peace shall be holden, as is hereinafter provided, shall, within Ten Days next after the grant of the said Court shall have been signified to the Council of such Borough, appoint a fit person, not being an Alderman or Councillor, to be Coroner of such Borough so long as he shall well behave himself in his office of Coroner, and shall fill up every vacancy in the office of Coroner of the Borough occurring by death, resignation or removal, within Ten Days next after such vacancy, and none thereafter shall take any inquisition which belongs to the office of

108.
In certain
Boroughs
Council to
appoint a
Coroner.

Coroner within such Borough, save only the Coroner so from time to time to be appointed; and in such of the said Boroughs as are not Counties of Cities or Counties of Towns, every such Coroner, for every inquisition which he shall duly take within such Borough, shall be entitled to have the sum of Twenty Shillings, and also the sum of 5 Nine-pence for every mile exceeding Two Miles which he shall be compelled to travel from his usual place of abode to take such Inquisition, to be paid by the Treasurer out of the Borough Fund of such Borough, by order of the Court of Quarter Sessions for such Borough: Provided always, That no person shall be elected as Coroner as 10 aforesaid who shall not be seised or possessed of such an estate in some part of Ireland as would qualify him to serve as a Coroner for a County according to the Acts now in force in Ireland in relation to the office of Coroner; and every such person shall, before he acts as such Coroner, take and subscribe all oaths now required to be taken 15 by a Coroner in Ireland, and shall be liable to be removed by the Court of Chancery in Ireland in the same manner as any Coroner in Ireland may now be removed by that Court.

109.
Coroners to
make Returns
to Lord
Lieutenant.

And be it Enacted, That on or before the Tenth day of January in every year after the passing of this Act every Coroner appointed 20 in any Borough shall make and transmit to the Lord Lieutenant of Ireland a return in writing, according to such form as the said Lord Lieutenant from time to time shall direct, of all the cases in which he may have been called upon to hold an Inquest touching the cause of death of any person during the year ending on the Thirty-first day 25 of December immediately preceding, and a copy of the finding of the Jury on every such Inquest.

110.
County
Coroners to
act in other
Boroughs.

And be it Enacted, That in every Borough in and for which no separate Court of Sessions of the Peace shall be holden, no person, after the First day of December next after the first election of Coun- 30 cillors under this Act in that Borough, shall take any Inquisition which belongs to the office of Coroner within such Borough, save only the Coroner for the County at large in which such Borough is situated; and in every Borough in which a Coroner shall not be elected and acting under this Act the Coroner for the County in 35 which such Borough is situated, and in case of a County of a City or Town the Coroner of the adjoining County, or any of them, shall take any Inquisition which could be taken by a Coroner elected under this Act, and have all the powers and authorities of such Coroner; and such Coroners of Counties at large, and the Coroners of each 40 County of a City and County of a Town, shall be entitled to be paid for the Inquisitions which they shall duly take as aforesaid in manner now provided for by law, and not otherwise.

And

And be it Enacted, That in case of illness or unavoidable absence, the Coroner for the time being of any Borough, Town or City in Ireland shall be empowered and he is hereby required, by writing under his hand and seal, to appoint a fit person, being an Attorney of One of Her Majesty's Courts in Dublin, and not being an Alderman or Councillor of such Borough, Town or City, to act for him as Deputy Coroner during the illness or unavoidable absence of such Coroner, but no longer or otherwise: Provided always, That the Mayor or Two Justices of such Borough, Town or City shall on each occasion certify under their hands and seals the necessity for the appointment of such Deputy Coroner, and such certificate shall state the cause of absence of the Coroner, and shall be openly read to every Inquest Jury summoned by such Deputy Coroner, and the particulars of every Inquest holden before any Deputy Coroner shall be included in the return to be made by the Coroner to the Lord Lieutenant as herein provided.

111.
Coroners of
Boroughs, in
certain cases,
may appoint
Deputies.

And be it Enacted, That it shall be lawful for Her Majesty from time to time to assign to so many persons as She shall think proper Her Majesty's commission to act as Justices of the Peace in and for each Borough, and in and for each of the Counties of Cities and Towns respectively named in the said Schedule (A.), to which Her Majesty may be pleased to grant a commission of the peace: Provided nevertheless, That every person so to be assigned shall reside within the Borough for which he shall be so assigned, or within Seven Miles of such Borough, or of some part thereof, during such time as he shall act as a Justice of the Peace in and for such Borough.

112.
Commission
of Justices of
Peace to be
issued for cer-
tain Borough

And be it Enacted, That if the Council of any Borough named in the said Schedule (A.) shall think it requisite that a salaried Police Magistrate or Magistrates be appointed within such Borough, such Council is hereby empowered to make a Bye Law, fixing the amount of the salary which he or they are to receive in that behalf; and such Bye Law so made by any Council as aforesaid shall be transmitted to the Lord Lieutenant of Ireland, and the Lord Lieutenant thereupon shall be authorized to appoint so many fit persons as are specified in the said Bye Law (being Barristers-at-Law of not less than Six Years' standing) to be during Her Majesty's pleasure Police Magistrate or Magistrates and a Justice or Justices of the Peace for such Borough, and to direct that such sum shall be paid quarterly out of the Borough Fund of such Borough as will be sufficient to pay such yearly salary to each of the Justices so assigned as last aforesaid, not exceeding in the whole the salary mentioned in the prayer of such petition, clear of all fees or deductions, as to the Lord Lieutenant shall seem fit; and the Treasurer of such Borough

113.
Council may
make Bye-
laws on which
the Crown
may appoint
salaried
Justices.

shall thereupon pay to each Justice so assigned as last aforesaid, out of the Borough Fund of such Borough, the salary so directed to be paid, by Four equal quarterly payments, and in the same proportion up to the time of the death of such Justice, or his ceasing to act under such assignment as aforesaid: Provided, That in every case of vacancy of the office of Police Magistrate in any Borough aforesaid, no new appointment of Police Magistrate in such Borough shall be made until the Council shall again make application to the Lord Lieutenant in that behalf, and as in the case of the first appointment of a Police Magistrate in such Borough.

114.
Council to
provide a
Police Office.

And be it Enacted, That the Council of every Borough to which a separate Commission of the Peace shall be granted under the provisions of this Act shall be authorized and required to provide and furnish One or more fit and suitable Office or Offices, to be called "The Police Office" or Offices of the Borough, for the purpose of transacting the business of the Justices of the Borough, and to pay from time to time, out of the Borough Fund, such sums as may be necessary for providing, upholding and furnishing, and for the necessary expenses of such Police Office or Offices; and the Council of every such Borough shall, in case the Borough Fund shall not be sufficient, or in case there shall be no Borough Fund, have the power of including in and paying out of the Borough Rate of such Borough such sum as shall be required for providing, upholding and furnishing and for the necessary expenses of such Police Office or Offices; and no room in any house licensed as a victualling-house or alehouse shall be used for the purpose of any such Police Office.

115.
Justices need
not be qua-
lified by
Estate.

And be it Enacted, That every person assigned to keep the peace within any Borough under the provisions of this Act, or any of them, shall, during the continuance of such assignment, execute the duties of a Justice of the Peace in and for the Borough for which he shall have been so assigned, although such person may not be a Burgess of the Borough in and for which he shall have been assigned, to act as a Justice of the Peace, and although he may not have such qualification by estate as is required by law in the case of other persons being Justices of the Peace for a County, so nevertheless that such person be not disqualified by law to act as a Justice of the Peace for any other cause or upon any other account than in respect of estate: Provided nevertheless, That no such person by any such assignment shall act as a Justice of the Peace at any Court of Gaol Delivery or General or Quarter Sessions.

116.
How far
Summonses
and Warrants
may be en-
forced.

And be it Enacted, That every Summons for the appearance of any person, or Warrant to compel such appearance, or Warrant for the apprehension of any person charged with any offence, or Search Warrant

Warrant issued by any Justice of the Peace acting in and for any Borough in any matter within his Jurisdiction, may be respectively served and executed within any County in which the said Borough shall be situated, or within any distance not exceeding Seven Miles
 5 from such Borough, and within such limits as aforesaid, shall have the same force and effect as if the same had been originally issued or subsequently indorsed by a Justice of the Peace having jurisdiction in the place where the same shall be served or executed, any law, statute, charter or usage to the contrary notwithstanding ; and
 10 every such Summons and Warrant shall and may be lawfully served or executed within such limits as aforesaid by the Constable to whom the same shall be directed, or by any Constable or other Peace Officer of the County, Borough, Parish or Place in which the person named in such Summons or Warrant may be.

15 And be it Enacted, That it shall be lawful for the Justices of every Borough to which a separate Commission of the Peace shall be granted as aforesaid, at their first or any other meeting, and they are hereby respectively required, to appoint a fit person to be the Clerk to the Justices of such Borough, to be removable at their
 20 pleasure, and so as often as there shall be a vacancy in the said office of Clerk to the Justices by death, resignation, removal or otherwise : Provided, That it shall not be lawful for the said Justices to appoint or continue as such Clerk to the Justices any Alderman or Councillor of such Borough, or Clerk of the Peace of such
 25 Borough, or the partner of such Clerk of the Peace, or any clerk or person in the employ of such Clerk of the Peace : Provided also, That it shall not be lawful for the said Clerk to the Justices, by himself or his partner, to be directly or indirectly interested or employed in the prosecution of any offender committed for trial by
 30 the Justices of whom he shall be such Clerk as aforesaid, or any of them, at any Court of Gaol Delivery or General or Quarter Sessions ; and any person being an Alderman or Councillor, or Clerk of the Peace of any Borough, or the partner or clerk or in the employ of such Clerk of the Peace, who shall act as Clerk to the Justices of
 35 such Borough, or shall otherwise offend in the premises, shall for every such offence forfeit and pay the sum of One hundred Pounds, one moiety thereof to the Treasurer of such Borough, to be paid over to the credit and account of the Borough Fund of such Borough, and the other moiety thereof, with full costs of suit, to any person
 40 who will sue for the same in any of Her Majesty's Courts of Record in Dublin.

117.
 Justices to appoint a Clerk, who shall not be the Town Clerk or of the Council, nor be concerned in the prosecution of Offenders committed by the Borough Justices.

And be it Enacted, That the Council of every Borough, except the City of Dublin, which shall be desirous that a separate Court of
 712. I Quarter

118.
 Recorder to be appointed by Her Ma-

jesty in
certain Bo-
roughs.

Recorder to
be a Justice of
the Peace for
the Borough.

Not to be
Councillor
or Police
Magistrate.

Quarter Sessions of the Peace, or a Court of Record for the trial of Civil Actions, shall be or continue to be holden in and for such Borough, shall signify the same by petition to the Lord Lieutenant and Privy Council in Ireland, setting forth the grounds of the application, and the salary which they are willing to pay to the Recorder in that behalf; and it shall be lawful for Her Majesty, if She shall be pleased, thereupon to grant that a separate Court of Quarter Sessions of the Peace, or a Court of Record for the trial of Civil Actions, shall thenceforward be holden in and for such Borough, the Lord Lieutenant may appoint for such Borough, or for any Two or more of such Boroughs conjointly, a fit person, being a Barrister-at-Law of not less than Six Years' standing, who shall be and be called the Recorder of such Borough or Boroughs, and shall hold such office during his good behaviour; and the Lord Lieutenant upon any vacancy in any such office may appoint another fit person, being a Barrister-at-Law of not less than Six Years' standing, to be the Recorder in the place of the person so making such vacancy; and the Recorder for the time being of any Borough shall be a Justice of the Peace of and for such Borough, although he may not have such qualification by estate as is required by law in the case of any other person being a Justice of the Peace for a county; and such Recorder shall have precedence in all places within the Borough of which he may be the Recorder next after the Mayor thereof; and it shall be lawful for the said Lord Lieutenant to direct that an annual salary, not exceeding the sum stated in the petition of the Council, shall be paid to such Recorder by the Treasurer of such Borough out of the Borough Fund: Provided always, That no person being such Recorder as aforesaid shall be eligible to serve in Parliament for such Borough, nor shall he be an Alderman, Councillor or Police Magistrate of such Borough: Provided nevertheless, That nothing in this Act contained shall be construed to disqualify any such Recorder from being eligible to sit in Parliament otherwise than is herein provided: Provided also, That in every Borough in and for which a separate Court of Sessions of the Peace, or a Court of Record for the Trial of Civil Actions, is now holden, and of which the present Recorder or Deputy Recorder is a Barrister of Six Years' standing, such Recorder or Deputy Recorder being qualified as aforesaid, shall be continued or appointed a Recorder under the provisions of this Act, and shall be paid out of the Borough Fund the salary now payable to him by the Corporate Body: Provided also, That in case of sickness or unavoidable absence the Recorder of any Borough shall be empowered to appoint a Deputy Recorder, being a Barrister of Six Years' standing, to act for him at the Sessions of the Peace then next ensuing, and in such Court of Record, for any time not exceeding Three calendar Months, and no longer or otherwise.

AND

AND whereas it is expedient that provision should be made by a separate Act of Parliament for the trial of offenders and of civil actions in cases in which the Sessions Court of the City of Dublin or the Recorder or Lord Mayor of the City of Dublin, now, either
 5 solely or jointly with any member or members of the Corporation of the City of Dublin, possesses jurisdiction; BE it Enacted, That until Parliament shall otherwise provide, the present Recorder of the City of Dublin and his successors in that office shall have all such powers and authority as are now vested in the said Sessions Court
 10 or in the said Recorder or Lord Mayor, either solely or jointly with any other member or members of the Corporation of the Lord Mayor, Sheriffs, Commons and Citizens of the City of Dublin; and if the Recorder for the time being shall vacate his said office before such provision as aforesaid shall have been made, the Lord Lieutenant
 15 shall appoint a fit person to be Recorder in lieu of the Recorder so vacating the said office; and the Recorder so from time to time appointed shall have the like powers and authorities as are hereby given or continued to the present Recorder; and the present Recorder and his successors in that office shall be entitled to such
 20 salary as the present Recorder is now entitled to, and out of the same funds; and such Recorder and his successors in that office shall hold their office during good behaviour, or until Parliament shall otherwise provide as aforesaid.

119.
Recorder of
the City of
Dublin.

Provided nevertheless, and be it Enacted, That no Recorder or
 25 person assigned as aforesaid to keep the peace within any such Borough, shall be capable of acting as Recorder or Justice of the Peace within such Borough until he shall have taken the oaths provided to be taken by Justices of the Peace, except any oath as to qualification by estate, and until he shall have made before the
 30 Mayor, or before any Two or more of the Aldermen or Councillors of such Borough (who is and are hereby authorized and required to administer the same), a declaration in the following form; (that is to say)

120.
Justices to
make Decla-
ration before
acting.

“ I, A. B., do hereby declare, That I will faithfully and impar-
 35 tially execute the Office of Recorder [or, Justice of the Peace for the Borough of], according to the best of my judgment and ability.”

And be it Enacted, That the Recorder of every Borough appointed under this Act shall hold once in every quarter of a year, or at such
 40 other and more frequent times as the said Recorder in his discretion may think fit, or as Her Majesty shall think fit to direct, a Court of Quarter Sessions of the Peace in and for such Borough, of which Court the Recorder of such Borough shall sit as the sole Judge; and such Court of Quarter Sessions of the Peace shall be a Court

121.
Sessions of
the Peace to
be held for
the Borough,
of which the
Recorder is
to be the
sole Judge.

of Record, and shall have cognizance of all crimes, offences and matters whatsoever cognizable by any Court of Quarter Sessions of the Peace for Counties in England; and the said Recorder shall have power to do all things necessary for exercising such jurisdiction, notwithstanding his being such sole Judge, as fully as any such last-mentioned Court: Provided nevertheless, That no Recorder by virtue of his office shall have power to make or levy any County Rate, or rate in the nature of a County Rate, or to grant any license or authority to any person to keep an inn, alehouse or victualling-house, to sell exciseable liquors by retail, or to exercise any of the powers herein specially vested in the Council of such Borough.

122.

Mayor, in the absence of the Recorder, may open and adjourn the Court.

And be it Enacted, That in the absence of the Recorder and Deputy Recorder the Mayor shall be authorized and required, at the proper times appointed for the holding of such Court of Sessions of the Peace in and for such Borough, to open the said Court, and to adjourn over the holding of the same, and to respite all recognizances conditioned for appearing at the same until such further day as such Mayor then and there and so from time to time shall cause to be proclaimed: Provided nevertheless, That nothing in this Act contained shall authorize or require any such Mayor to sit as a Judge of the said Court for the trial of offenders, or to do any other act in the character of a Judge of such Court, save only in opening and adjourning the said Court, and respiting the said recognizances in manner aforesaid.

123.

Capital Jurisdictions, and all other Criminal Jurisdictions in Boroughs, other than are specified in this Act, abolished.

And be it Enacted, That after the First day of January in the year following that in which this Act shall come into operation in any Borough named in the said Schedule (A.), or in any other Borough in Ireland, all powers and jurisdictions to try treasons, capital felonies, and all other criminal jurisdictions whatsoever, granted or confirmed by any law, statute, letters patent, grant or charter whatsoever to any Mayor, Bailiff, Alderman, Recorder or other Corporate or Chartered Officer or Corporate or Chartered Justice of the Peace whomsoever in that Borough, except the Recorder of Dublin, and all right of any Body Corporate in that Borough, or any of the members thereof, by virtue of any law, statute, letters patent, grant or charter whatsoever, to elect or nominate any Justices to keep the peace in or for any Borough, or by any members of any such Corporate Body to act as such Justices of the Peace in or for any of the last-named Boroughs, other than is herein declared, shall cease: Provided nevertheless, That nothing in this Act contained shall be construed to restrain or prevent the holding of any Court of Gaol Delivery or General or Quarter Sessions of the Peace in and for any Borough for which such Court may now be holden, until the said First day of January, but every such Court may be holden

holden in like manner and with the same powers until the said First day of January, as if this Act had not been passed.

And be it Enacted, That after the last-named First day of January every person who shall then stand committed to take his trial at any
 5 Court of Gaol Delivery, General or Quarter Sessions of the Peace for any Borough, charged with any offence which the Recorder of such Borough, after the said First day of January, will not have the jurisdiction to try, may be lawfully removed and committed to the Gaol or House of Correction of the County in which or adjoining
 10 ing to which such Borough is situated, there to remain and take his trial at the next Court of Quarter Sessions for such County, if the offence is cognizable by a Court of Quarter Sessions, and if not, then before the Judges of Oyer and Terminer and Gaol Delivery at their next circuit; and all persons bound by recognizance to prosecute
 15 and give evidence against such offenders shall be bound to appear to prosecute and give their evidence at the Court at which such offenders shall be tried as aforesaid; and all such recognizances, and all depositions relating to such charges, shall be transmitted to the proper officer of the Court where such offenders shall be tried; and
 20 the Sheriff, Under Sheriff, Gaolers and other Officers of the County in which such offenders shall be so tried are hereby authorized and required in every such case to receive every prisoner so committed to their custody, and him safely to keep until delivered by due course of law; and the Judges of Assize and others named in Her
 25 Majesty's Commissions of Oyer and Terminer and Gaol Delivery, or the Justices for the County, as the case may be, in which such offenders shall be tried, are hereby authorized and required to hear and determine all such cases, and to order the payment of the usual and fit expenses of the prosecutors and witnesses, and all other costs
 30 and expenses which in like case may be directed to be paid by order of the Court.

124.
 Offenders committed to Borough Sessions whose jurisdiction is taken away, to be tried in the adjoining County.

And be it Enacted, That after the last-named First day of January the Justices assigned or hereafter to be assigned to keep the peace in and for the county in which any Borough is situated, to
 35 which Her Majesty shall not have granted that a separate Court of Sessions of the Peace shall be holden in and for the same, shall exercise the jurisdiction of Justices of the Peace in and for such Borough as fully as by law they and each of them can or ought to do in and for the said County; and no part of any Borough in and
 40 for which a separate Court of Quarter Sessions of the Peace shall be holden shall be within the jurisdiction of the Justices of any County from which such Borough before the passing of this Act was exempt, any law, statute, letters patent, charter, grant or custom to the contrary notwithstanding.

125.
 County Justices to have Jurisdiction in all Boroughs which have not a separate Court of Sessions of the Peace.

126.
Chartered
Admiralty
Jurisdictions
abolished.

And be it Enacted, That from and after the passing of this Act, so much of all laws, statutes and usages, and so much of all royal and other charters, grants and letters patent heretofore granted to any Borough named in the said Schedule (A.), or any Body Corporate in any such Borough, or in any other Borough in Ireland, 5 whereby such Borough, or any place within the precincts or liberties of the same, or such Body Corporate, or the freemen or inhabitants of the same, claims or claim to be exempted and released from the jurisdiction and office of the Lord High Admiral of England, or of the High Court of the Admiralty of England or 10 Ireland, or whereby any Body Corporate, or any Mayor, Bailiff, Recorder, Steward or other chartered or corporate Officer of any Borough, has or claims any thing belonging to the office of Admiral, whether or not to be exercised by virtue of any Commission to them or any of them to be directed, shall be and the same is hereby 15 repealed.

127.
Jurisdiction
of Court of
Record.

And be it Enacted, That in every Borough to which Her Majesty shall have granted a separate Court of Sessions of the Peace, or a Court of Record for the trial of Civil Actions as aforesaid, there shall be holden or continue to be holden a Court of Record for the 20 trial of Civil Actions; and the Recorder of such Borough shall be the sole Judge of such Court, and in all cases where by charter or custom there is or ought to be holden such a Court of Record shall have jurisdiction to hold and continue such Court for the purpose of disposing of all causes pending therein at the time of 25 the appointment of such Recorder, at such times and places, and with such rules and practice, and with the same powers and jurisdiction as belonged to the said Court at the time of the passing of this Act; and in all other causes such Recorder shall have jurisdiction to proceed either by process of attachment of goods or by 30 serviceable process, according to the provisions hereinafter contained, with authority to try, in a summary way as hereinafter provided, actions of assumpsit, covenant and debt, whether the debt be by specialty or on simple contract, and all actions of trespass or trover for taking goods and chattels, provided the sum or damages 35 sought to be recovered shall not exceed Twenty Pounds, and either the cause of action shall have accrued within such Borough, or the defendant or one of the defendants shall be resident therein, and also all actions of ejectment between landlord and tenant, wherein the annual rent of the premises of which possession is 40 sought to be recovered shall not exceed Twenty Pounds; and also to try, according to the course of the common law, actions of assumpsit, covenant and debt, whether the debt be by specialty or on simple contract, and all actions of trespass or trover for taking goods and chattels, provided the sum or damages sought to be recovered

recovered shall not exceed Fifty Pounds, and the cause of action shall have accrued within such Borough; and such actions shall not be removed or removable to any of Her Majesty's Superior Courts by writ of certiorari or any other process, save writ of error after judgment, where the proceeding is according to the course of the common law: Provided also, That every such Judge respectively from time to time may make rules for regulating the practice of such Court over which he presides, but so that no such rules shall be of force until they shall have been allowed and confirmed by the Judges of Her Majesty's Court of Queen's Bench in Dublin, or any Three of them.

And be it Enacted, That in every Borough being a County of a City or County of a Town, wherein the office of Clerk of the Crown or Clerk of the Peace is now by law in the appointment of the Corporation of such Borough, or any member or officer thereof, or held by any officer thereof in right of his office, and in every Borough not being a County of a City or County of a Town, to which a separate commission of the peace shall be granted, it shall and may be lawful for the Lord Lieutenant to grant from time to time to any person the offices of Clerk of the Peace and Clerk of the Crown of such Borough, or either of them; and the Clerk of the Peace of the County of Londonderry and the Coroners of the said County shall, whenever after the passing of this Act such offices respectively shall become vacant, be appointed and elected in the same manner as the Clerk of the Peace and Coroner of any other County at large in Ireland.

128.
Appointment
of Clerk of
the Crown or
Clerk of the
Peace.

And be it Enacted, That in any Borough wherein there shall be a Court of Record for the trial of civil actions, or a Court of Conscience, under the provisions of this Act, the Council shall appoint the Registrar of such Court of Record, except in Boroughs where the Town Clerk acts as such Registrar, and the Clerk of such Court of Conscience respectively, and such other officers and servants as are necessary for carrying on the business and executing the process of such Courts respectively; and that no Registrar or other officer of such Court shall by himself or his partner practise as an Attorney in such Court.

129.
Appointment
of Registrar
of Court of
Record and
Clerk of
Court of Con-
science.

And be it Enacted, That no suit commenced in any Court of Record in any Borough before the passing of this Act shall abate by reason of any change that shall have been worked in the constitution of such Court by the provisions of this Act; but that the same may be heard and determined as if it had been commenced before such Judge, according to the provisions hereinbefore contained in that behalf; and every action, suit and proceeding in which any Corporate Body in conjunction with the name of any Borough

130.
Existing Suits
not to abate
by reason of
the change of
Jurisdiction.

mentioned in the Schedules to this Act is a party or interested, shall and may be carried on by or against the Mayor, Aldermen and Burgesses of that Borough.

131.
Who to be
Jurors.

3 & 4 W. 4,
c. 91.

Fine for Non-
attendance.

And be it Enacted, That from and after the time when this Act shall come into operation in any Borough, including the City of Dublin, every person being a Burgess of any Borough wherein there shall be a separate Court of Sessions of the Peace, or a Court of Record for the trial of civil actions, (who would be qualified to serve on a jury, according to the provisions of an Act passed in the session of Parliament holden in the third and fourth years of the reign of his late Majesty King WILLIAM the Fourth, intituled, "An Act for consolidating and amending the Laws relative to Jurors and Juries in Ireland,") shall be qualified and liable to serve on Grand Juries in such Borough, and also upon Juries for the trial of all issues joined in any Court of Sessions of the Peace and in any Court of Record for the trial of civil actions, triable within the Borough of which such person shall be a Burgess; and the Clerk of the Peace of every such Borough shall give public notice of the time and place of holding every such Sessions of the Peace Ten Days at least before the holding thereof, and in Boroughs being Counties of Cities or Counties of Towns, the Sheriff thereof, and in other Boroughs the Clerk of the Peace thereof, shall, Seven Days at the least before the holding thereof, cause to be summoned a sufficient number of persons, being qualified and liable as aforesaid to serve as Grand Jurors at such Sessions; and in Boroughs being Counties as aforesaid the Sheriff, and in other Boroughs the Clerk of the Peace and Registrar of the Court of Record respectively, shall also cause to be summoned not less than Thirty-six nor more than Sixty persons so liable and qualified as aforesaid to serve as Jurors at every such Sessions, and at the holding of every such Court of Record for the trial of causes; and such summons shall be made by showing to the person to be summoned, or in case he shall be absent from the usual place of his abode by leaving with some person therein inhabiting, a note in writing under the hand of such Sheriff, Clerk of the Peace, or Registrar respectively, containing the substance of such summons; and such Sheriff or Clerk of the Peace respectively shall make out a list of the names of such persons so summoned as Grand Jurors; and such Sheriff, Clerk of the Peace, or Registrar respectively, shall also make out a panel of such persons so summoned other than Grand Jurors; and such list and panel shall respectively contain therein the christian names and surnames, places of abode, and descriptions of the several persons therein named; and if any person having been duly summoned to attend on any Jury shall not attend in pursuance of such summons, or, being thrice called, shall not answer to his name, or after his appearance wilfully withdraw himself from

from the presence of the Court, the Court shall impose such fine upon every person so making default (unless some reasonable excuse shall be proved to the satisfaction of the Court) as the Court shall think meet; and if any person on whom such fine shall be imposed
 5 shall refuse to pay the same to the person who shall be authorized by the Court to receive the same, it shall be lawful for the Court then, or at its next sitting, by order of the Court, signed by the Clerk of the Peace or Registrar respectively, to cause to be levied, by distress and sale of the goods of the person on whom such fine shall have
 10 been imposed, every such fine and the reasonable charges of such distress and sale; and every fine so received shall be paid to the Treasurer of the Borough, to be by him carried to the account of the Borough Fund hereinbefore mentioned: Provided nevertheless, That no person shall be summoned to serve as a Juror at such Ses-
 15 sions or Court of Record oftener than once in any One Year, unless every person qualified and liable to serve shall have been summoned once during that year.

And be it Enacted, That after the time when this Act shall come into operation in any Borough, every member of the Council for the
 20 time being of the Borough, and Justice assigned to keep the peace therein, and every Officer of Police therein, and the Treasurer and Town Clerk for the time being of every such Borough, shall be exempt and disqualified from serving on any Jury summoned within such Borough respectively, save and except the Juries summoned
 25 for an Assize or general Gaol Delivery.

132.
Justices, &c.
exempt from
serving on
Juries.

And be it Enacted, That in all cases of debt or liquidated damages, in which the plaintiff shall be desirous of proceeding in the Court of Record of any Borough, except the City of Dublin, by way of attachment of goods, the plaintiff, or one of the plaintiffs, or some
 30 person able to depose to the facts of his own knowledge, shall first make affidavit before the Recorder or the Mayor (who is hereby empowered to take such or any other affidavits in the said Court) of the cause of action, and that the same has accrued within such Borough, or else, where the debt or damages do not exceed Twenty
 35 Pounds, that the defendant, or one of the defendants, is resident therein (describing such defendant by his name, addition, and residence particularly), and that the deponent is apprehensive that such debt or damages is or are in danger of being lost to the plaintiff, unless aided by process of the said Court to attach the goods of the
 40 defendant, and thereupon it shall be lawful for such Recorder or Mayor to issue an Attachment directed to the proper officer of the Court to be appointed in that behalf as aforesaid, requiring him, according to the Form Number 1, in Schedule (E.) to this Act annexed, to attach the goods of the defendant within the Borough;

133.
Proceedings
by Attach-
ment in Court
of Record.

and thereupon such officer is hereby authorized and required to seize such goods, and to detain the same until the defendant shall have given special bail to pay such sums of money as may be adjudged to the plaintiff in that suit, which bail may be taken either by the Recorder or by the Mayor of such Borough.

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134.
Process by
Foreign
Attachment.

And be it Enacted, That in all Boroughs in which by usage or charter the goods, monies or credits of the defendant, may by process of foreign attachment be attached in the hands of a third person, such process by foreign attachment may be proceeded upon in the Court of Record of such Borough under this Act, with such rules of practice, and with the same powers and jurisdiction, as belonged to the said Court at the time of the passing of this Act: Provided always, That no such foreign attachment shall be issued unless a common attachment against the goods of the defendant shall first have issued, and unless thereupon a further affidavit shall be made as aforesaid, describing the goods, monies or credits sought to be attached in the hands of such third person, and stating that the same belong to the defendant; and such third person, in case he claims a property in such goods, shall be permitted to give bail for the same in manner aforesaid.

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135.
Where the
Proceedings
shall be by
Civil Bill.

And be it Enacted, That upon the appearance of the defendant upon any such common attachment, and upon the appearance of the garnishee upon any such foreign attachment, the plaintiff, in all cases where the debt or damages do not exceed Twenty Pounds, shall proceed by way of civil bill thereupon, and not according to the course of the common law, by filing such civil bill in the said Court, and giving notice in writing of such filing, together with a copy of such civil bill, to the party or his attorney in the proceeding.

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136.
Form of
Proceeding.

And be it Enacted, That in all such cases, and in all other cases wherein the debt or damages do not exceed Twenty Pounds, and the plaintiff shall elect to proceed by serviceable process only in such Court of Record, and in all cases of ejectment triable in such Court of Record, the proceeding shall be, as nearly as circumstances will admit, in the forms, and according to the course, and with such right of appeal to the Judge of Assize of the County in which such Borough, or any part thereof, shall be situate, or to One of the Superior Courts in the City of Dublin, as is by law provided in cases of Civil Bills determinable before the Assistant Barristers of Counties in Ireland, and in cases where the Plaintiff shall proceed in such Court according to the course of the common law, and shall recover in debt or damages an amount not exceeding Twenty Pounds, such Plaintiff shall not recover any costs of suit.

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And

And be it Enacted, That any Attorney of any of the Superior Courts of Record in Dublin shall be admissible to practise in the Court of Record of any such Borough, without payment of any fee or stamp-duty upon such his admission, and may continue to practise therein so long as he continues an Attorney of some of the Superior Courts of Record aforesaid, and is in all other respects duly qualified to act and practise as such Attorney.

137.
Attornies in
Court of
Record.

AND whereas in several of the Boroughs in Ireland there have been courts for the recovery of small debts in a summary way, commonly called Courts of Conscience; and such courts, when well regulated, have been found useful to the poorer inhabitants of the said Boroughs; and it is expedient to make new and further provisions for the establishment and regulation of such courts in certain cases; BE it Enacted, That from and after the first election of the Council of any Borough under the provisions of this Act all the powers, authorities and jurisdictions of the then existing court for the recovery of small debts, commonly called the Court of Conscience, in such Borough, whether the same shall have been established by usage, statute or otherwise, shall wholly cease and determine, save only as to the execution of any decrees or orders of the said Court theretofore lawfully made; and that in every Borough in the Schedule (A.) to this Act annexed in which there has been heretofore such a Court, or in which the Lord Lieutenant shall, upon the application of the Council, direct that there shall be such a Court, before the Mayor of the said Borough, or the deputy of such Mayor duly appointed by him by writing under his hand, with the consent of the Council of such Borough, signified by a resolution of such Council duly convened for that purpose, a court for the recovery of small debts, to be called the Court of Conscience of such Borough, and that the Mayor of the said Borough, or his deputy for the time being duly appointed, shall be the Judge or President of such Court, and shall have full power and authority to hear and determine in a summary way causes in all small debts between party and party not exceeding in amount the sum of Forty Shillings, where the cause of action shall have accrued within the said Borough, or the defendant shall reside within the same.

138.
Court of
Conscience.

And be it Enacted, That the said Court shall be held at such times and in such place within the said Borough as the Council of the said Borough shall direct and provide, and not otherwise; and that the proceedings in said Court shall be by summons in the form Number 2, specified in the Schedule (E.) to this Act annexed, stating the names of the parties, plaintiff and defendant, the nature and amount of the debt, and the time and place when and where the defendant is required to appear and answer the said claim; and

139.
Proceedings
in Courts of
Conscience.

such summons shall be served on the said defendant personally, or, in case of difficulty in effecting personal service, arising from the acts or contrivance of the said defendant, by serving same in such manner as the President of the said Court shall direct, and in such case a copy of the order for such substitution of service shall be served along with and in the same manner as the summons; and in all cases the summons shall be served in manner aforementioned Twenty-four Hours at the least previously to the hearing of the cause; and in case the said defendant shall appear, or if the plaintiff shall prove by affidavit (which, and all other affidavits in the said Court, the said President is hereby empowered to take), the due service of the said summons, or summons and order as aforesaid, the President of the said Court shall proceed to hear the said cause and the statement of the said party or parties, or their attorney or attorneys, and all competent witnesses and other legal evidence produced by them or either of them, and shall determine the same: Provided always, That it shall be lawful for either party to require the other to be examined upon oath touching the said claim, but that neither of the said parties shall be admitted by his own evidence, on oath or otherwise, to support his own case.

140.
Order of
Court of Con-
science.

And be it Enacted, That upon such evidence as shall be adduced, and the admissions of the said parties, if required to be examined as aforesaid, the said President shall decide upon the case, and shall make an order either for the payment of the sum claimed by the plaintiff or any part thereof, together with his costs of suit, according to a table of costs to be settled for the said Courts in manner hereinafter provided, or for dismissing the said summons, and in such case to order the plaintiff to pay to the defendant his reasonable costs according to the said table, or may adjourn the cause to some other day, as justice may require; and every such order shall specify a time within which such payment of debt and costs, or of costs, as the case may be, shall be made, either by instalments or otherwise; and every order dismissing such summons shall be expressed therein to be either "on the merits" or "without prejudice to any other proceeding for the said demand;" and in case the party against whom such order for the payment of the said debt and costs, or of such costs, shall be made, shall not pay the amount thereof pursuant to the terms of the said order, it shall be lawful for the President of the said court, upon affidavit made of the service of a copy of such order on such party personally, or at his dwelling-house, office or shop, or last known place of residence within the said Borough, and of the non-payment of any sum of money mentioned in such order pursuant to the terms thereof, to issue his warrant under his hand to levy the amount thereof by distress and sale of the goods of the said party.

And

And be it Enacted, That no re-hearing of any cause shall be had in the said Court except only in cases where the same shall have been dismissed "without prejudice to any other proceeding," as aforesaid; and that if any party shall think himself aggrieved by any such order of the said court, either for payment of the said debt and costs, or for dismissing his cause on the merits as aforesaid, it shall be lawful for such party to appeal therefrom to the Recorder of the said Borough, where there is a Recorder in the said Borough; provided that in case of such appeal the party so appealing shall give notice of such appeal to the President of the said Court, and also to the opposite party in the said cause; and the said appeals may be forthwith proceeded upon before such Recorder at the Court of the said Recorder, if then holden, or at the next or any subsequent Court of such Recorder, to be held within Six calendar Months from the time of the service of such order upon the party so appealing; and such Recorder shall have full power and authority to proceed to hear such cause, and to rescind and vary or reverse or affirm the said order, and in all or any of such cases to make such order, either for the payment of the said debt and costs, together with reasonable costs of such appeal, pursuant to the said table of costs, or for the payment of such costs only as aforesaid, as justice shall require; and in case of non-payment of the sum or sums of money mentioned in such order, on like affidavit of the due service thereof in manner aforesaid, to issue his warrant under his hand to levy the amount thereof by distress and sale of the goods of the said party, in the same manner as the said President of the said Court of Conscience is hereby authorized: Provided always, That such notice of appeal shall not operate to stay execution of any order or warrant of the said President of the said Court of Conscience, unless the party appealing therefrom shall enter into a bond to the Mayor of the said Borough, by himself and Two Sureties, jointly and severally bound in double the amount of the sums mentioned in such order, that such party so appealing shall prosecute such appeal with effect, and in case such order shall be affirmed in the whole or in part on such appeal to pay the sum mentioned in such order of affirmation, either for debt and costs, or for costs: Provided always, That such bond shall not be liable to any stamp-duty.

And be it Enacted, That the President of the said Court of Conscience, and the Recorder, as Judge upon appeals from the President or the Town Clerk, under their orders respectively, shall make or cause to be made fair and regular entries in books to be provided by the Town Clerk, under the direction of the Council, for that purpose, of all judgments, orders, directions, regulations, acts, and proceedings of them the said President and Recorder respectively in or relating to the execution of the several powers and authorities vested in them as Judges in the first instance, and upon appeal in

such Court as aforesaid, and shall respectively sign the same ; and such entries, when so signed, shall be allowed in evidence in proof of the proceedings of such Court in all Courts whatsoever ; and if any person within the jurisdiction of the said Court, after having been duly served with a summons to be issued by the Clerk thereof, 5 and paid or tendered his reasonable expenses to attend and give evidence at a time and place in such summons mentioned, on behalf of any plaintiff or defendant, shall refuse or neglect to appear pursuant to such summons, due proof being made of the service of such summons, and no sufficient cause for his non-appearance being 10 shown to the satisfaction of the Court upon affidavit, or if the person so served with such summons shall appear and refuse to give evidence touching the matter in question, then and in every such case it shall be lawful for such President or Recorder, as the case may be, if satisfied upon affidavit that such person not appearing was duly 15 served with such summons, and was a material witness for the party on whose behalf he was so summoned, or that such person appearing and refusing to give evidence as aforesaid was a material witness for the party on whose behalf he was called, to impose any fine not exceeding Fifty Shillings on every such person ; and in case such 20 fine shall not be paid forthwith, such fine may be levied by distress and sale of the goods of the offender, by warrant under the hand of such President or Recorder, as the case may be, rendering the over-plus (if any), after deducting such fine, and the costs and charges of such distress, to the owner of the goods ; and such fine, when levied, 25 shall be paid over to the party on whose behalf such person shall have been summoned or called upon to give evidence ; and in case any person shall be guilty of a contempt of the said Court, it shall be lawful for such President or Recorder to direct that such offender be taken into custody, and any officer of the Court, with or without 30 the assistance of any other person, may take such offender into custody accordingly ; and the said President or Recorder shall then examine into such contempt, and then, upon his own view, or upon oath of one or more other persons, impose a fine not exceeding Fifty Shillings for each offence on each offender ; and if such fine 35 shall not be forthwith paid, such President or Recorder may commit the offender to any lawful prison within such Borough for any time not exceeding Twenty Days, or such fine may be levied by distress and sale of the goods of the offender in manner aforesaid, and paid to the Treasurer of such Borough, to the credit of 40 the Borough Fund, and such offender may be detained in custody until the rising of the Court on the day of his offence, and for one hour after.

143.
Fees payable
to the Clerk
of the Peace,
Clerk to the
Magistrates,

And be it Enacted, That the Council of every Borough shall and they are hereby required, within Six calendar Months next after their election, to make and settle a table of the fees which shall be taken

taken by the Clerk of the Peace in those Boroughs in which a separate Court of Session of the Peace shall be holden, and in those Boroughs in which there shall be a Court of Record and a Court of Conscience a table of the fees to be taken by the Registrar and officers of such Courts; and such tables of fees shall be submitted to the Chief Secretary or Under Secretary of the Lord Lieutenant of Ireland; and when such tables of fees shall be confirmed and allowed by such Chief Justice or other Justices, or any Three of them, either as such table shall have been submitted to them, or with such alterations, additions or abatements as they shall think proper, the fees therein mentioned may thenceforth be lawfully taken by the person therein named to be entitled thereunto; and it shall be lawful for the Council of such Borough, from time to time as occasion may require, to make new tables of fees, to be taken instead of the fees contained in the tables which shall have been made as aforesaid, which new tables shall be confirmed and allowed in the manner hereinbefore mentioned, otherwise the same shall be of no validity; and that until tables of the fees so to be taken in any such Borough shall have been made and confirmed as aforesaid, it shall be lawful for such Clerk of the Peace at the Sessions for any such Borough to take the fees authorized by the table for the time being to be taken by the Clerk of the Peace at the Sessions for the County within or adjoining to which such Borough is situated, and for the Registrar and officers of such Court of Record or Court of Conscience to take the fees usually taken by them before the passing of this Act.

and Registrar
and Officers
of the Court
of Record.

And be it Enacted, That in those Boroughs to which a commission of the peace shall have been granted, the Clerk to the Justices shall be entitled to such fees (and no other) as are chargeable by and under an Act passed in the Session of Parliament holden in the seventh and eighth years of the reign of his Majesty King GEORGE the Fourth, intituled, "An Act for the better Administration of Justice at the holding of Petty Sessions by Justices of the Peace in Ireland," subject to such orders of the Justices as in that Act provided.

144.
Clerks to
Justices to
be entitled
to Fees
chargeable
under Act
7 & 8 G. 4.
c. 67.

And be it Enacted, That the Town Clerk of every Borough shall cause a true copy of the Tables of Fees in force for the time being to be hung up in a conspicuous part of the room in which the business of his office is transacted, and also the room wherein the Justices of the Peace of such Borough shall sit for transacting their business, and also in the room wherein the Court of Sessions of the Peace for the Borough shall be held, and also in the Court of Record and Court of Conscience of the said Borough respectively.

145.
Table of Fees
to be hung up.

And be it Enacted, That when by any Act any Penalties or Forfeitures are or shall hereafter be made recoverable in a summary

146.
Application
of Penalties.

manner before any Justice or Justices of the Peace, and by such Act respectively, the same are or shall be limited and made payable to Her Majesty, or to any Body Corporate, or to any person whomsoever, save and except the informer who shall sue for the same, or any party aggrieved, in every such case the same, if recovered and adjudged before any Justice of any Borough in which a separate Court of Sessions of the Peace shall be holden as aforesaid, shall, notwithstanding any thing in such Act respectively contained, be recovered for and adjudged to be paid to the Treasurer of such Borough for the time being, to the credit and on account of the Borough Fund of such Borough, or, where there shall be no Borough Fund, be paid to or for the use of the parish or union where such offence shall have been committed, to be applied in aid of the Poor Rate of such parish or union; and no such penalty or forfeiture, or share of such penalty or forfeiture, shall in any case be recovered by or adjudged to be paid to any other person than the said Treasurer, unless such person be the informer or the party aggrieved: Provided always, That nothing herein contained shall extend to any penalties or forfeitures recovered under any Act relating to the Customs, or to trade or navigation, and sued for by the direction of the Commissioners of Her Majesty's Customs, which shall be paid to such person as the said Commissioners shall direct to receive the same.

147.
Limitation of
time for Pro-
secution of
Offences
punishable on
summary
Conviction
under this
Act, and
Summons of
Offenders.

AND for the more effectual prosecution of offences punishable upon summary conviction by virtue of this Act, BE it Enacted, That the prosecution for every such offence shall be commenced within Six calendar Months after the commission of the offence, and not otherwise; and that where any person shall be charged, on the oath of a credible witness, with any such offence, before a Justice of the Peace, the Justice may summon the party charged to appear before any two Justices of the Peace acting in and for the Borough in which such offence shall have been committed, at a time and place to be named in such summons; and if such party shall not appear accordingly, the Justices of the Peace then and there present (upon proof of the due service of the summons by delivering a copy thereof to the party, or by delivering such copy at the party's usual place of abode to some inmate thereat, and explaining the purport thereof to such inmate), may either proceed to hear and determine the case in the absence of the party, or may issue their warrant for apprehending and bringing such party before them, as they shall think proper.

148.
Power to
summon
Witnesses.

And be it Enacted, That it shall be lawful for any Justice of the Peace acting in and for any Borough, to issue his summons requiring any person to appear before any such Justices of the Peace for the purpose of giving evidence touching any offence against this Act; and

and if any person so summoned shall neglect or refuse to appear at the time and place appointed by such summons, and no reasonable excuse for his absence shall be proved before the Justices of the Peace then and there present, or if any person appearing in obedience to such summons shall refuse to be examined on oath touching any such offence by the Justices then and there present, every person so offending shall, on conviction thereof before the said Justices, or any other Justices of the Peace, forfeit and pay such sum of money, not exceeding Five Pounds, as to the convicting Justices shall seem meet; and no person, although liable to the rate contributing to the Borough Fund of any Borough shall be deemed an incompetent witness in proof of any offence against this Act by reason of any penalty or forfeiture for such offence being applicable to the use of such Borough Fund; and no Justice of the Peace shall be disabled from acting in the execution of this Act by reason of his being liable to the rate contributing to the Borough Fund of any Borough.

Penalty for disobedience of Summons, &c.

No Witness or Justice to be incompetent on the ground of rateability.

And be it Enacted, That the Justices of the Peace by whom any person shall be summarily convicted and adjudged to pay any sum of money for any offence against this Act may adjudge that such person shall pay the same either immediately or within such period as the said Justices shall think fit; and in case such sum of money shall not be paid at the time so appointed, the same shall be levied by distress and sale of the goods and chattels of the offender, with the reasonable charges of such distress; and it shall be lawful for such Justices to order the offender to be detained in safe custody until return can conveniently be made to the warrant of distress, unless the said offender shall give sufficient security to the satisfaction of such Justices for his or her appearance before them on such day as shall be appointed for the return of such warrant of distress, such day not being more than Eight Days from the day of taking the security, and which security the said Justices are hereby empowered to take by way of recognizance or otherwise; and if upon the return of such warrant it shall appear that no sufficient distress can be had thereupon, or in case it shall appear to the satisfaction of such Justices, either by the confession of the offender or otherwise, that the offender hath not sufficient goods and chattels whereon such sum of money and costs may be levied were a warrant of distress issued, such Justices shall not be required to issue such warrant of distress, and thereupon it shall be lawful for any such Justices and they are hereby authorized and required to cause such offender to be imprisoned, with or without hard labour, in the common gaol or house of correction, as to the convicting Justices shall seem meet, for any term not exceeding One calendar Month where the sum to be paid shall not exceed Five Pounds, and for any term not exceeding Two calendar Months in any other case, the

149.
Payment of Penalties, and Mode of levying the same.

imprisonment to cease in each of the cases aforesaid upon payment of the sum due.

150.
Form of
Conviction.

And be it Enacted, That the Justices of the Peace before whom any person shall be summarily convicted of any offence against this Act may cause the conviction to be drawn up in the following form of words, or in any other words to the like effect, as the case may require; (that is to say,) 5

“ } BE it Remembered, That on the day of
to wit. } in the year of our Lord
in the Borough of in the County of 10
A. O. is convicted before us, J. P. and J. J. P., Two of
Her Majesty's Justices of the Peace for the said County
[or Borough, or otherwise, as the case may be], for that
the said A. O. did [here specify the offence, and the time
and place when and where the same was committed, as the
case may be]; and we do adjudge that the said A. O. shall 15
for the said offence forfeit the sum of , and
shall pay the same immediately [or shall pay the same on
or before the day of] to
the Treasurer for the said Borough, to be by him applied 20
according to the directions of the statute in that case made
and provided. Given under our hands the day and year
first above mentioned.”

151.
Appeal
against
Convictions
under this
Act.

And be it Enacted, That any person who shall think himself aggrieved by any summary conviction in pursuance of this Act, may 25
appeal to the next Court of General or Quarter Sessions of the
Peace to be holden, not less than Twelve Days after such conviction,
for the County or Division of the County, or for the Borough
wherein the cause of complaint shall have arisen, provided that such
person shall give to the complainant a notice in writing of such 30
appeal, and of the cause and matter thereof, within Three Days after
such conviction, and Seven clear Days at the least before such
Sessions, and shall also either remain in custody until the Sessions,
or within such Three Days enter into a recognizance, with a suffi- 35
cient surety, before a Justice of the Peace, conditioned personally to
appear at the said Sessions, and to try such appeal, and to abide the
judgment of the Court thereupon, and to pay such costs as shall be
by the Court awarded; and upon such notice being given and such
recognizance entered into, the Justice before whom the same shall
be entered into shall liberate such person, if in custody; and the 40
Court at such Sessions shall hear and determine the matter of the
appeal, and shall make such order therein, with or without costs to
either party, as to the Court shall seem meet, and in case of the
dismissal of the appeal or the affirmance of the conviction, shall
order

order and adjudge the offender to be dealt with and punished according to the conviction, and to pay such costs as shall be awarded, and shall, if necessary, issue process for enforcing such judgment.

5 And be it Enacted, That no conviction, order, warrant or other matter made or purporting to be made by virtue of this Act shall be quashed for want of form, and no warrant of commitment shall be held void by reason of any defect therein, provided that it be therein alleged that it is founded on a conviction, and there be a
10 good and valid conviction to sustain the same; and where any distress shall be made for levying any money by virtue of this Act, the distress itself shall not be deemed unlawful, nor the party making the same be deemed a trespasser, on account of any defect or want of form in the summons, conviction, warrant of distress or other
15 proceedings relating thereto, nor shall the party distraining be deemed a trespasser ab initio on account of any irregularity afterwards committed by him, but the person aggrieved by such irregularity may recover full satisfaction for the special damage, if any, in an action upon the case.

152.
No Certiorari, &c.

As to informality in Warrants, &c.

20 AND for the protection of persons acting in the execution of this Act, BE it Enacted, That all actions and prosecutions to be commenced against any person for any thing done in pursuance of this Act shall be commenced within Twelve calendar Months after the fact committed, and not otherwise; and notice in writing of such
25 action, and of the cause thereof, shall be given to the defendant One calendar Month at least before the commencement of the action; and in any such action the defendant may plead the general issue, and give this Act and the special matter in evidence; at any trial to be had thereupon; and no plaintiff shall recover in any such action
30 if tender of sufficient amends shall have been made before such action brought, or if a sufficient sum of money shall have been paid into Court after such action, by or on behalf of the defendant; and if a verdict shall pass for the defendant, or the plaintiff shall become nonsuit, or discontinue any such action after issue joined, or if upon
35 demurrer or otherwise judgment shall be given against the plaintiff, the defendant shall recover his full costs as between attorney and client, and have the like remedy for the same as any defendant hath by law in other cases.

153.
Limitation in Proceedings against Persons acting under this Act.

Notice of Action.

General Issue.

Tender of Amends, &c.

And be it Enacted, That as soon as any rate for the relief of the
40 destitute poor shall have been made in any of the Boroughs named in the said Schedules, the Guardians, Wardens or other Officers acting in the management or relief of the destitute poor, by
712. whom

154.
When the Act shall come into operation.

whom any such rate shall have been made, shall, under the hands of three or more of them, or in their default the Commissioners appointed to carry into execution any Act for the relief of the destitute poor in Ireland, shall, under their seal, certify to the Lord Lieutenant of Ireland that such rate has been made; and upon the receipt of such certificate the Lord Lieutenant shall cause such certificate to be published in the Dublin Gazette, with a declaration that this Act will thenceforward be in force in the Borough or Boroughs named in the certificate; and upon such publication this Act shall come into operation, commence, and be in force in the Borough or Boroughs named in such certificate.

155.
Periods connected with first Registration and Election may be deferred by Orders in Council.

AND whereas it may happen that the several provisions of this Act cannot be carried into effect within the several periods hereinbefore specified and limited in that behalf; BE it therefore Enacted, That it shall be lawful for the Lord Lieutenant of Ireland, if he shall think fit, by the advice of Her Majesty's Privy Council there, to order any convenient day after this Act shall come into operation in any Borough for doing the several matters required or authorized by this Act to be done on the Fifth day of September in the first year in which this Act shall come into operation in that Borough instead of the said Fifth day of September, and in such case all matters mentioned in such order shall be done in the said year on such day as shall be mentioned in that behalf in such order, as if the day mentioned in such order had in every instance been mentioned in this Act instead of the said Fifth day of September, and not otherwise; and all things required or authorized by this Act to be done on any other day, or within any time from or after any day named in this Act, shall be done in the said first year on such other days and within such other times as shall have the same relation in point of time to the day so ordered by the Lord Lieutenant instead of the Fifth day of September, as the days and time mentioned in this Act have to the said Fifth day of September, but if any such day fall on a Sunday then on the following day; and no person shall be entitled to be enrolled in the Burgess Roll of any Borough in the first year in which this Act shall come into operation in that Borough unless he would have been entitled on the Fifth day next before the day so ordered by the Lord Lieutenant to have his name included in some Churchwarden's List, if such list had been made out on the said Fifth day next before the day so ordered.

156.
Applications for Quo Warranto to be made within the Time next but one after Election.

And be it Enacted, That after the passing of this Act every application to the Court of Queen's Bench for the purpose of calling upon any person to show by what warrant he claims to exercise the office of Mayor, Alderman or Councillor in any Borough shall be made before the end of the term following next but one after

after the election of the person against whom such application shall be directed, or after the time when such person shall have become disqualified, and not at a subsequent time.

And be it Enacted, That after the passing of this Act, in case
 5 no election shall be made of any Mayor or any of the Aldermen, Councillors or other Corporate Officers, in any Borough named in the said Schedules, upon the day or within the time appointed by this Act for such election, or such election being made shall afterwards become void, whether such omission or avoidance shall occur
 10 through the default of the Officer or Officers who ought to preside at such election, or by any other means or accident whatsoever, the Corporation shall not thereby be deemed to be dissolved or disabled from electing such Mayor, Alderman or Councillor, or other Corporate Officer for the future; but in case where no such election shall
 15 be made as aforesaid, the election for any such Mayor, Alderman, Councillor or other Corporate Officer may be had, held or proceeded with upon the day next after the day on which such election ought to have been made, unless such day shall happen to be a Sunday, and then upon the Monday following; and every act necessary to be
 20 done in order to and for the completing such election shall and may be then done, and the same shall be as effectual and valid for all purposes as if the election had been made on the proper day appointed for that purpose.

157.
Corporations not to become extinct by reason of Election not being held on appointed Days.

And be it Enacted, That after the passing of this Act all the
 25 powers, authorities and jurisdictions by an Act passed in the Parliament of Ireland in the nineteenth year of the reign of King GEORGE the Second, intituled, "An Act for the better regulation of Corporations," given to Her Majesty's Court of Queen's Bench in Ireland, in cases where no election shall be made of the Mayor,
 30 Bailiff or Bailiffs, or other chief Officer or Officers of Cities, Boroughs or Towns Corporate, upon the day or within the time appointed by charter or usage for that purpose, and that no election is made pursuant to the directions in that Act and hereinbefore prescribed, or that such election being made shall afterwards become void, as in
 35 that Act mentioned, shall be and the same are hereby extended to all cases in which no election shall be made of any Mayor, Alderman, Councillor or other Corporate Officer or other person, to any Corporate Office, on the day or within the time appointed for any such election under the provisions of this Act; and the said Court of
 40 Queen's Bench is hereby empowered in all such cases to award a Mandamus, and to cause such proceedings to be had thereupon, and to make such orders, and to do all other acts, matters and things in respect thereof, as fully and effectually as the said Court is now by law authorized in any other cases of Mandamus for the election of

158.
Provisions of Act of Irish Parliament, 19 G. 2., extended to Elections under this Act.

any Officers of Corporations ; and the election to be held under such Mandamus shall be held and the proceedings thereupon conducted within the Borough in the same manner and under the like regulations and provisions as are in said Act of His Majesty King GEORGE the Second enacted and provided.

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159.
The Queen
empowered
to grant
Charter of
Incorporation.

AND whereas it may be expedient that some of the Towns in Ireland named in the Schedule (B.) to this Act annexed should continue to be Corporations, and should be assimilated to the Boroughs named in the said Schedule (A) : And whereas sundry Towns in Ireland not named in the Schedules to this Act annexed, are not Towns Corporate, and in some others the Corporations have been extinct, and it may be expedient that several of them should be incorporated ; BE it Enacted, That if a Petition to grant a Charter of Incorporation to the inhabitants of such Town shall be presented to Her Majesty, signed by a Majority of such of the Inhabitants of any Borough named in the said Schedule (B.), or in any other Town in Ireland in which the population, according to the last census taken in the year One thousand eight hundred and Thirty-one by authority of Parliament, exceeded the number of Three thousand, as would be qualified (so far as such qualification can be ascertained from the Assessment to the Rate for the Relief of the Poor, to be made in pursuance of the said Act passed in this present Session of Parliament) to have been enrolled on the Burgess Roll of such Town if the same had been named in the said Schedule (A.), and such Burgess Roll had been made according to the provisions hereinbefore contained, then and in every such case it shall be lawful for Her Majesty by any such Charter, if She shall think fit, by advice of Her Privy Council, to grant the same, to extend to the Inhabitants of any such Town within the District to be set forth in such Charter the powers and provisions in this Act contained ; and in every such Charter shall be described the Boundaries of the District to which the same is to extend, which shall be determined, as nearly as may be found convenient, according to the following Rules ; (that is to say) such Boundary shall include only the ancient limits of the Town, in all cases in which such limits include all the buildings considered to form part of the Town, and a sufficient space to allow of the probable increase of the Town ; but when the Town extends beyond its ancient limits, such Boundaries shall be made to include the whole of such Town ; and where there is a suburb near but not contiguous to such Town, then in determining whether such suburb shall be included in the said Boundaries there shall be taken into consideration the extent and occupation of the ground which separates such suburb from the Town, and the nature and employment of the population of such suburb, and their connexion with the Town ; and when the ancient Boundaries include a rural district, the

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the Boundaries shall be confined to the Town, and shall not include such rural district; and every such Town shall be divided into wards, whenever the population thereof according to the said last census exceeded in number Eight thousand, and there shall be, as
 5 nearly as may be on an average, One Ward and Two Aldermen and Six Councillors to a population of every Four thousand persons, and shall in every case be an even number of Aldermen, and the number of Councillors shall be Three times the number of Aldermen; and such Charter shall specify the number of wards (if any) into
 10 which the Town is to be divided, and the number of Aldermen and Councillors to be elected therein respectively; and upon the day to be named in such Charter, all former Charters, in cases where such Towns are incorporated, shall cease; and at the same time the powers and provisions in this Act contained shall be carried into
 15 effect in such manner as the Lord Lieutenant shall direct, and as nearly as may be in like manner as if such Town had been named in the Schedule (A.) to this Act annexed; and all the regulations, provisions, clauses, matters and things in this Act contained with respect to the said Boroughs named in the said Schedule (A.), except
 20 with regard to the amount of qualification of Aldermen and Councillors, which shall be as hereinbefore expressly provided as to Boroughs in the said Schedule (B.), shall extend and be applied to such Town, from and after the day to be named in the Charter granted to such Town, in the same manner to all intents and pur-
 25 poses as the same would have taken effect from and after the coming into operation of this Act if such Town had been one of the Boroughs named in the said Schedule (A.) to this Act annexed, and the boundaries and wards and number of Aldermen and Councillors mentioned in such Charter, had been contained in Schedule (C.) to this
 30 Act annexed; and in every Borough named in the said Schedule (B.), and in every other Town in Ireland to which a Charter of Incorporation shall be granted as aforesaid, and which shall not thereby be divided into wards, the Aldermen and Councillors to be assigned to such Borough shall be elected by the Burgesses of the
 35 whole Borough in like manner as the Aldermen and Councillors of any ward are directed by the provisions hereinbefore contained to be elected in every ward, except that every such election hereinbefore directed to be holden before the Aldermen and two Assessors of the ward shall be holden before the Mayor and two Assessors of
 40 the Borough, and the two Assessors chosen to hold the Court with the Mayor for revising the Burgess Lists shall also perform all the same duties, and shall have the same powers within the Borough as are to be performed and exercised in a Borough divided into wards by the two Assessors chosen for each ward; and the votings and other proceedings in, all other respects at such elections within such Borough shall be conducted in the same manner as is herein-

Where the Borough is not divided into Wards, the Elections for the whole Borough to be similar to Elections in Wards.

before directed with regard to similar elections in wards : Provided nevertheless, That notice of every such Petition, and of the time when it shall please Her Majesty to order that the same be taken into consideration by Her Privy Council, shall be published by Royal Proclamation in the Dublin Gazette One Month at least before such Petition shall be so considered. 5

160.

Account of Boroughs which have petitioned to be laid before Parliament.

And be it Enacted, That within Six Weeks after the commencement of each Session of Parliament, a Return of all the Towns in Ireland from which Petitions shall have been presented for Charters of Incorporation, in pursuance of the provisions hereinbefore contained, shall be laid by One of Her Majesty's Principal Secretaries of State before both Houses of Parliament. 10

161.

A Board of Commissioners to be appointed in every Borough entitled to Property in Schedule (B.) which shall not petition for a Charter, or which shall petition, and not obtain a Charter within 12 Months.

And be it further Enacted, That in every Borough named in the said Schedule (B.) to which no Charter of Incorporation in pursuance of any Petition signed as aforesaid shall be granted within Twelve calendar Months next after the day on which this Act shall come into operation in any such Borough, there shall be constituted, if the Body Corporate in such Borough shall appear from the Report of the Irish Corporations Commissioners presented to his late Majesty King WILLIAM the Fourth in the year One thousand eight hundred and Thirty-five to be seised or possessed of or entitled to any property consisting of any real estate, or of any personal estate exceeding in annual amount or value the sum of One hundred Pounds, but not otherwise, a Board of Commissioners for the disposition of such property according to the provisions hereinafter contained, until such Charter may at any time afterwards be granted ; and upon the grant of any such Charter, and the election of a Council under its provisions, the Board of Commissioners shall cease, and all the said estate and any accumulation thereof, shall forthwith, without any conveyance thereof, vest in the body so incorporated. 15 20 25 30

162.

One Commissioner to be elected for every 500 Inhabitants.

And be it further Enacted, That in every such Borough as last aforesaid the number of Commissioners who shall be elected to constitute such Board as aforesaid, shall be after the rate of One Commissioner for every Five hundred of the population of such Borough, according to the said Census hereinbefore mentioned. 35

163.

Mayor to appoint and give Notice of the Day of the Election of the Commissioners.

And be it further Enacted, That the Mayor of every Borough in which a Board of Commissioners is hereinbefore directed to be constituted, shall appoint some day, not less than Seven Days nor more than Twenty-eight Days, to be computed, where no such Petition for Incorporation shall have been presented from such Borough as aforesaid, from the day to be named by the said Lord Lieutenant 40

Lieutenant as aforesaid, and where such Petition shall have been presented from such Borough from the expiration of Twelve calendar Months next after the day to be named by the said Lord Lieutenant as aforesaid, for the Election of the said Commissioners, and shall
 5 give Three clear Days' notice of such election by writing, to be fixed on or near to the door of the Town Hall, or in some public and conspicuous situation within the said Borough.

And be it further Enacted, That at the Election of such Commissioners for any Borough every man shall be entitled to vote who
 10 is of full age, and shall be an inhabitant householder resident within the Borough, according to the present limits thereof, by virtue of any charter or usage, and shall hold and occupy within the same any house, warehouse, counting-house, office or shop, either separately or jointly with any land within such Borough occupied
 15 therewith by him as tenant under the same landlord, or occupied therewith by him as owner, which premises shall be of the yearly value of not less than Ten Pounds, to be ascertained and determined in the manner hereinbefore provided with respect to the qualification of Burgesses in Boroughs in the said Schedule (A.); and in
 20 case any premises shall be jointly occupied by two or more persons, each or every of such joint occupiers shall be entitled to vote if the yearly value of such premises, ascertained and determined as aforesaid, shall be equal to the amount of as many sums of Ten Pounds as shall be equal to the number of such joint occupiers;
 25 and the Election shall be held before the Mayor, and the voting at every such Election shall commence at Nine of the clock in the Forenoon, and shall finally close at Four of the clock in the afternoon of the same day, and shall be conducted in manner following; (that is to say) every person entitled to vote in the Election may
 30 vote for any number of persons, not exceeding the number of Commissioners then to be chosen, by delivering to the Mayor a voting paper containing the christian names and surnames of the persons for whom he votes, with their respective places of abode and descriptions, such paper being previously signed with the name of
 35 the person voting, and with the name of the street, lane or other place in which the property, in respect of which he is rated and votes, is situated.

164.
Elections how
to be held.

Mode of
voting.

And be it Enacted, That at every Election of Commissioners under this Act in any Borough, the Mayor, if it shall appear to him
 40 expedient for taking the poll at such Election, may cause booths to be erected or rooms to be hired and used as such booths, for different parts of such Borough; and such booths or rooms may be situated either in one place or in several places, and shall be so divided and allotted into compartments as to the Mayor shall

165.
Polling
Booths to be
provided.

seem most convenient; and the Mayor shall appoint a Clerk to take the poll at each compartment, and shall cause to be affixed on the most conspicuous part of each of the said booths the names of the parts of the Borough for which such booth is respectively allotted; and no person shall be admitted to vote at any such Election except at the booth allotted for the part wherein the house, warehouse, counting-house, office or shop occupied by him as described in the assessment to be made as aforesaid may be; but in case no booth shall happen to be provided for any particular part as aforesaid, the votes of the persons voting in respect of property situate in any part so omitted may be taken at any of the said booths; and public notice of the situation, division and allotments of the different booths shall be given Two Days before the commencement of the poll by the Mayor; and in case the booths shall be situated in different places, the Mayor may appoint a Deputy to preside at each place; provided, that no Election shall be holden under this Act in any Borough, in any church, chapel or other place of public worship.

166.

No Inquiry of the Voter except as to his Identity, and whether he has voted before at the same Election.

And be it Enacted, That no inquiry shall be permitted at any election as to the right of any person to vote for the election of Commissioners in any Borough, except only as follows; (that is to say) that the Mayor or other presiding Officer shall, if required by any two persons entitled to vote in the same Borough, put to any Voter at the time of his delivering in his voting paper, and not afterwards, the following questions, or any of them, and no other.

Form of Questions as to these Points.

1.—Are you the person whose name is signed as A. B. to the voting paper now delivered by you?

2.—Are you the person whose name appears as A. B. on the assessment for the relief of the poor of the parish of _____ in this Borough, being rated therein for property described to be situated in _____? [Here specify the street, &c. as described in the rate-book.]

3.—Have you already voted at the present Election?

And no person required to answer any of the said questions shall be permitted or qualified to vote until he shall have answered the same; and if any person shall wilfully make a false answer to any of the questions aforesaid, he shall be deemed guilty of a misdemeanor, and may be indicted and punished accordingly.

167.

Result of Election how to be declared.

And be it Enacted, That the Mayor shall examine the voting papers so delivered as aforesaid for the purpose of ascertaining which of

of the several persons voted for are duly elected, and so many of such persons, being equal to the number of persons then to be chosen, as shall have the greatest number of votes, shall be deemed to be elected; and in case of an equality in the number of votes for
5 any two or more persons, the Mayor shall name from amongst those persons for whom the number of votes shall be equal, so many as shall be necessary to complete the requisite number of persons to be chosen; and the Mayor shall cause the voting papers to be kept in the office of the Town Clerk during Six calendar Months at the least
10 after every such election, and the Town Clerk shall permit any person who was entitled to vote, or any two such persons together, to inspect the same, on payment of One Shilling for every search; and the Mayor shall publish a List of the names of the persons so elected, together with the number of votes given in favour of each per-
15 son so elected, not later than Two of the clock in the afternoon of the day next but one following the day of such election, unless such day be Sunday, and then on the Monday following: Provided always, That if the Mayor of any Borough shall, at the time when it shall be necessary to execute the powers and duties herein provided
20 with respect to electors, be dead, absent or otherwise incapable of acting, the Aldermen and Common Council, or other governing officers of such Borough, shall forthwith elect one of the Aldermen or other governing Officers to execute all such powers and duties in his place, whose acts shall be as valid as any act of the person
25 instead of whom he shall have been so elected.

And be it Enacted, That no person being in holy orders, or being the regular Minister of any Dissenting Congregation, shall be qualified to be elected or to be a Commissioner of any Borough; nor shall any person be qualified to be elected or to be a Commissioner of any
30 Borough who shall not for Twelve Months next previous have occupied a house of the clear yearly value of Fifteen Pounds or upwards situate within the Borough, or shall be seised or possessed of real or personal estate, or of both, of the clear value of Five hundred Pounds above what will satisfy his debts; nor shall any person so
35 qualified to be elected or to be a Commissioner of any Borough who shall hold any office or place of profit in the gift or disposal of the Commissioners or Charitable Trustees of such Borough, or while he is an uncertificated bankrupt, or during such time as he shall have directly or indirectly, by himself or his partner, any share or
40 interest in any contract or employment with, by or on behalf of such Commissioners or Charitable Trustees: Provided, That no person shall be disqualified from being a Commissioner of any Borough as aforesaid by reason of his being a proprietor or shareholder of or in any Company which shall contract for lighting or supplying with

water any part of the said Borough, or insuring against fire any property therein.

169.
Com-
mis-
sioners not to
act until
they have
made a De-
claration of
Qualification.

And be it Enacted, That no person elected a Commissioner for any Borough under the provisions of this Act shall be capable of acting as such, except in administering the Declaration hereinafter 5
contained, until he shall have made and subscribed before any Two or more of such Commissioners (who are hereby respectively autho-
rized and required to administer the same) a Declaration in the words or to the effect following ; (that is to say)

“ I, A.B., having been elected Commissioner for the Borough 10
of , do hereby declare, That I take
the said office upon myself, and will duly and faithfully fulfil
the duties thereof, according to the best of my judgment
and ability; and I do hereby declare, That I am seised or
possessed of real or personal estate, [or both, as the case may 15
be,] to the amount of Five hundred Pounds, over and above
what will satisfy my debts ; or that I now occupy and have
occupied for Twelve Months last past, a house situate within
the Borough of of the clear yearly value of
Fifteen Pounds or upwards.” 20

And that every Commissioner who shall have made and subscribed the foregoing Declaration in respect of estate or occupation shall, once in every period of Three Years, if required in writing so to do by any Commissioner, make and subscribe a Declaration that he is qualified in real or personal estate, or both, as the case may then be, 25
or by occupation of a house as mentioned in the Declaration originally made or subscribed by him.

170.
Any Commis-
sioner, if he
shall be de-
clared bank-
rupt or insol-
vent, shall
lose his office.

Provided always, and be it Enacted, That if any person holding the office of Commissioner for any Borough shall be declared bank-
rupt, or shall apply to take the benefit of any Act for the Relief of 30
Insolvent Debtors, or shall compound by Deed with his creditors,
then and in every such case such person shall thereupon imme-
diately become disqualified, and shall cease to hold the office of such
Commissioner.

171.
Penalty on
person not
qualified, &c.
acting as Com-
missioner.

And be it Enacted, That if any person shall act as Commissioner 35
for any Borough without having made the Declaration hereinbefore
required in that behalf, or without being duly qualified at the time
of making such Declaration, or after he shall have ceased to be qua-
lified according to the provisions of this Act, or after he shall have
become disqualified to hold any such office, he shall for every such 40
offence forfeit the sum of Fifty Pounds, such sum to be recovered
with full costs of suit, by any person who will sue for the same
within

within Three calendar Months after the commission of such offence, by action of debt or on the case, in any of Her Majesty's Superior Courts of Record; and every person so sued by reason of not being so qualified in respect of estate shall prove that he was at the time of so acting qualified as aforesaid, or otherwise shall pay the said penalty, without any further evidence being given on the part of the plaintiff than that such person has acted as the Commissioner of such Borough: Provided always, That it shall be lawful for any defendant, by Judge's order, or by the order of the Court, to be obtained within Fourteen Days after he shall have been served with process in any such action, to require the plaintiff to give security for costs; and in such case all further proceedings in the said cause shall be stayed until the plaintiff shall give security to the satisfaction of the proper Officer of the court for the costs of such action in case a verdict shall pass for the defendant, or the plaintiff shall become nonsuit or discontinue such action, or if upon demurrer or otherwise judgment shall be given against the plaintiff; and the defendant shall in either of such cases recover his full costs as between attorney and client: Provided also, That no such action shall be brought except by a person qualified to vote for Commissioners for such Borough, nor unless such person bringing the same shall, within Fourteen Days after the commission of the offence, have served a notice in writing personally upon the party committing such offence, of his intention to bring such action; and in case the plaintiff in any such action shall obtain a verdict, the money so to be recovered shall, after payment of the costs and expenses attending the recovery thereof, be paid and apportioned as follows; (that is to say) one moiety thereof to the person so suing, and the other moiety thereof to the Treasurer to be appointed by virtue of this Act, to be by him applied in aid of the Town Fund: Provided always, That all acts and proceedings of any person in possession of the office, and acting as a Commissioner, shall, notwithstanding such disqualification or want of qualification, or any other defect or want of title, be as valid and effectual as if such person had been duly qualified or entitled.

And be it further Enacted, That after the election of Commissioners under this Act in any Borough named in Schedule (B.), the Body or reputed or late Body Corporate named in the said Schedule (B.) to this Act annexed in connexion with such Borough shall be dissolved.

172.
On the election of Commissioners in any Borough the Corporation shall be dissolved.

And be it further Enacted, That if the Body Corporate in any Borough named in the said Schedule (B.) to which no Charter in pursuance of any petition signed as aforesaid shall be granted within

173.
Corporations which have no property to be dissolved on the

day named by the Lord Lieutenant, or at the expiration of Twelve Months from such day, in case of there being a petition for a Charter and its not being granted.

Twelve calendar Months next after the day on which this Act shall come into operation, shall not be seised or possessed of or entitled to any property consisting of any real estate, or of or to any personal property, exceeding in annual amount and value the sum of One hundred Pounds, then and in every such case the powers and duties of the Body or reputed or late Body Corporate named in the said Schedule (B.) to this Act annexed in connexion with such Borough, shall cease, except such as are necessary for continuing the Corporation, and except such as are hereinafter mentioned, in like manner as if the said Body Corporate were dissolved; and every provision hereinafter contained with reference to Bodies Corporate which shall be dissolved by virtue of this Act shall, so far as the same are applicable, apply to every such Body Corporate as aforesaid.

174.
After the commencement of the Act, existing Mayors, &c. and Officers to continue until new election or dissolution.

And be it further Enacted, That after this Act shall have come into operation in any Borough named in the said Schedule (B.) no election shall be holden for any Officer of the Body Corporate named in the said Schedule (B.) in connexion with such Borough, except for the purpose of supplying a vacancy occasioned by death, removal or resignation; and in every case in which an election of any such Officer is appointed by any statute, charter, bye-law or custom to be holden between the day on which this Act shall so come into operation as aforesaid, and the day on which a Charter of Incorporation shall be granted to the inhabitants of such Borough in pursuance of a petition signed as aforesaid, or on which such Body Corporate shall by virtue of this Act be dissolved, and the day on which such office shall cease, or the person holding it shall go out of office, or be duly removed, the person holding or elected to such office on the day on which this Act shall so come into operation as aforesaid shall hold such office, and have all the powers and be subject to all the duties belonging thereto, in the same manner as if he had been elected to such office at any time between the day on which this Act shall so come into operation and the said day on which his office shall cease, or he shall go out of office or be removed from such office: Provided always, That no person so elected for the purpose of supplying such vacancy shall be entitled to any compensation under the provisions of this Act

175.
The power of Mayors and Common Councilmen to cease on the dissolution of the Corporation.

And be it further Enacted, That the powers and duties (except such as are hereinafter continued) of the Mayors, Aldermen and Common Councilmen, and all other members, by whatever name or style they may be called, of any Body Corporate named in the said Schedule (B) which shall be dissolved by virtue of this Act, shall cease on the day on which such Body Corporate shall be dissolved by virtue of the provisions hereinbefore contained.

And

And be it further Enacted, That the powers and duties of all persons who by virtue of any charter shall be Justices of the Peace in any of the said Boroughs named in the said Schedule (B.) shall, in case the Body Corporate named in the said Schedule in connexion with such Borough shall be dissolved by virtue of this Act, cease on the day on which such Body Corporate shall be dissolved by virtue of the provisions hereinbefore contained : Provided always, That if the Body Corporate of the Borough of Carrickfergus shall be dissolved, the powers and duties of all persons who by virtue of any Charter shall on the day preceding such dissolution be Justices of the Peace in such Borough, notwithstanding they may have ceased to hold the office by virtue of which they shall be such Justices, shall continue until a separate Commission of the Peace shall have been granted to such Borough or Town or County of the Town of Carrickfergus, and no longer.

176.
Justices of the Peace to cease on dissolution, except in Carrickfergus, where they are to continue in office until a separate Commission shall have been granted to that Town.

And be it further Enacted, That the powers and duties of all persons who, on the day preceding the dissolution of any Body Corporate by virtue of this Act, shall be Justices of the Peace with salaries or fees, by virtue of any Act or Acts of Parliament now in force in the Boroughs named in the said Schedule (B.) to this Act annexed in connexion with such Body Corporate, whether such persons shall be Justices in their respective corporate capacities, or shall have been elected or appointed by any such Body Corporate, or any member or members thereof in his or their corporate capacity, and where such persons shall have been such Justices in their respective corporate capacities, notwithstanding that they shall have ceased to hold the offices by virtue of which they shall be such Justices, shall continue, and the same Police Office and Officers, and Servants and Establishments, for the performance of such powers and duties, and all laws and provisions relating thereto, shall be continued and remain in force in the same manner as if this Act had not been passed, until such time as the Lord Lieutenant shall, by notice to be published in the Dublin Gazette, declare, that the same shall determine ; and at the time to be mentioned in any such notice the powers and duties of the person or persons therein named as Justice or Justices in such Town shall cease.

177.
The powers of salaried Magistrates under Acts of Parliament continued until determined by the Lord Lieutenant.

And be it further Enacted, That such of the powers and duties of any Mayor, Bailiff, Provost or Portreeve of any Borough named in the said Schedule (B.) to this Act annexed, as are exercised and performed in other places by Sheriffs, shall, in case the Body Corporate named in connexion with such Borough in the said Schedule shall be dissolved by virtue of this Act, cease on the day on which such Body Corporate shall be dissolved.

178.
Duties of Sheriffs performed by other Officers to cease on dissolution.

179.
Coroners to
be discon-
tinued on
dissolution.

And be it further Enacted, That the powers and duties of Coroners of any Boroughs named in the said Schedule (B.) to this Act annexed shall, in case the Body Corporate named in connexion with such Borough in the said Schedule shall be dissolved by virtue of this Act, cease on the day on which such Corporation shall be dissolved. 5

180.
Clerks of
Markets or
Weighmas-
ters appointed
by Corpora-
tions to con-
tinue in their
offices as if this
Act had not
been passed.

And be it further Enacted, That every person who shall have been elected or appointed by any Body Corporate named in the said Schedule (B.) to this Act annexed, which shall be dissolved by virtue of this Act, or by any member or members thereof, in his or their corporate capacity, to be a clerk of a market, or a weighmaster of all goods, wares and merchandises, or a weighmaster of butter, or taster of butter, or assay master, and shall not be entitled to such office as a member of such Body Corporate in his corporate capacity, shall continue to hold such offices, and to execute all the duties heretofore belonging thereto, as if this Act had not passed : Provided always, That if such office shall be filled up upon any resignation or removal made after the passing of this Act, in such case the person appointed to such office may be removed at the pleasure of the Lord Lieutenant, and any person so removed shall not be entitled to compensation under the provisions of this Act. 10 15 20

181.
Officers to
continue until
removed.

And be it Enacted, That every person who shall be a Town Clerk, Bailiff, Treasurer or Chamberlain, or other ministerial or executive Officer of any Body Corporate named in the said Schedule (B.) to this Act annexed, which shall be dissolved by virtue of this Act, and who shall be in such office at the time of such dissolution, shall continue to execute all the duties heretofore belonging to his office, so far as the same are not inconsistent with the provisions of this Act, in the same manner as he would have done if this Act had not passed, until he shall be removed from his office by the Commissioners to be appointed in such Borough by virtue of this Act, or where there shall be no such Commissioners by the Lord Lieutenant. 25 30

182.
Officers to
receive Com-
pensation on
removal.

And be it Enacted, That every officer of any Body Corporate named in the said Schedule (B.) which shall be dissolved by virtue of this Act and in the Borough named in connexion with which in the same Schedule Commissioners shall be appointed as aforesaid, who shall be in any office of profit at the time of the passing of this Act, whose office shall be abolished, or who under the provisions of this Act shall be removed from his office, or deprived of fees or emoluments to which he would have been entitled if this Act had not been passed, shall be entitled to have an adequate compensation, either by way of a sum in gross or of annuity, out of the property of such Body Corporate respectively, to be assessed and paid as hereinafter 35 40

hereinafter is mentioned, for the salary, fees and emoluments of the office which he shall cease to hold, or of the fees or emoluments of which he shall be so deprived, regard being had to the manner of his appointment to the said office and his term or interest therein,
 5 whether such person shall have held his office for life, or the usage shall have been such as to raise a just expectation that the office should continue for life, and all other circumstances of the case; and every person entitled to such compensation as aforesaid shall deliver to the Treasurer of the Commissioners to be appointed in
 10 pursuance of this Act a statement under the hand of such person, setting forth the amount received by him or his predecessors in every year during the period of Five Years next before the passing of this Act, on account of the salary, fees, emoluments, profits and perquisites in respect whereof he shall claim such compensation,
 15 distinguishing the office, place, situation, employment or appointment in respect whereof the same shall have been received, and containing a declaration that the same is a true statement according to the best of the knowledge, information and belief of such person, and also setting forth the sum claimed by him as such
 20 compensation.

And be it Enacted, That all pensions and allowances granted on or before the Fifth day of June One thousand eight hundred and Thirty-five, or sums granted in conformity with established usage, by any Corporate Body named in the said Schedule (B.) which shall
 25 be dissolved by virtue of this Act, and in the Borough named in connexion with which in the said Schedule (B.) Commissioners shall be appointed as aforesaid, to any officer or servant retired therefrom, or by sickness or infirmity rendered incapable of performing the duties of his office, or to the widow or child of any
 30 member, officer or servant, and all stipends and allowances which during Seven Years next before the said Fifth day of June have been usually paid and granted to the Minister or late Minister of any Church or Chapel, or to the Master or Usher of any school, or to the Governor or Master of any Hospital, within the Town in
 35 which such Body Corporate is constituted, and all charitable allowances which have been usually paid as aforesaid to the inmates of any almshouses by such Corporate Body, shall be paid as hereinafter mentioned to every person entitled or accustomed to have and receive the same, unless the property of such Body Corporate and
 40 vested in such Commissioners shall not be sufficient for the payment thereof.

183.
Pensions and Allowances.

And be it further Enacted, That the said Commissioners to be elected in every Borough in pursuance of this Act shall meet and sit as a Board of Commissioners for carrying this Act into execution,

184.
Regulations of the Commissioners.

at such place or places and at such time or times as they shall think expedient, or as the Lord Lieutenant shall direct, and may adjourn from time to time as they may think proper; but no business shall be transacted at any such Board unless Three Commissioners be present; and at every such Board One of the Commissioners present shall be appointed Chairman; and all questions shall be determined by a majority of votes, and all the powers and authorities by this Act granted to or vested in the Commissioners shall and may from time to time be exercised by the major part of them present at meetings to be holden as aforesaid; and in case of an equality of votes the Chairman shall have a second or casting vote; and every Commissioner shall have power to direct a Board to be summoned at any time and for any purpose relating to the execution of this Act which he may think proper.

185.
Power to
Commis-
sioners to
appoint Town
Clerk, Treas-
urer and
other Officers,
and to take
security for
due discharge
of their
official duties.

And be it Enacted, That the said Commissioners in every Borough shall appoint, to be removable at their pleasure, a fit person or persons to be the Treasurer or Treasurers of the said Commissioners, and also shall and may appoint any fit persons, being Officers of the Body Corporate named in the said Schedule (B.) to this Act annexed in connexion with such Borough respectively, or any other person or persons, to be Collectors or other Officers (except such Officers as are by this Act directed to be appointed by the Lord Lieutenant or other person or persons) for enabling them to carry into execution the various powers and duties vested in them by virtue of this Act, and may from time to time discontinue the appointment of such Officers as shall appear to them unnecessary, and shall take such security for the due execution of his office by any such Treasurer or other Officer as the said Commissioners shall think proper, and shall order to be paid to the Treasurer, and to every such other Officer to be employed as aforesaid, such salary or allowance as the said Commissioners shall think reasonable; and in case of a vacancy in any such office as aforesaid, by death, resignation, removal or otherwise, the said Commissioners may appoint another fit person in the place of the person so making such vacancy.

186.
Treasurer to
pay no money
but by order
of Commis-
sioners.

And be it Enacted, That no Treasurer of the said Commissioners of any Borough shall pay any money on account of the said Commissioners, save only upon the order in writing of a Board of Commissioners of such Borough, signed by Two or more of the Commissioners, and countersigned by their Clerk.

187.
Receipts of
the Treasurer
to be effectual
discharges.

And be it further Enacted, That the receipt or receipts of any Treasurer of the said Commissioners of any Borough for any purchase-monies, rents or profits, or other sum or sums of money payable

payable unto him by virtue of this Act, shall be a sufficient and effectual discharge, or sufficient and effectual discharges for the money in such receipt or receipts expressed or acknowledged to be received, and the purchaser or purchasers to whom the same respec-

5 tively shall be given, shall not afterwards be answerable or accountable for the misapplication or nonapplication of the money in such receipt or receipts expressed or acknowledged to be received.

And be it Enacted, That every Treasurer or other Officer appointed by the Commissioners shall, at such times during the continuance of

10 his office, or within Three calendar Months after the expiration of his office, and in such manner as the said Commissioners shall direct, deliver to the said Commissioners, or to such person as they shall authorize for that purpose, a true account in writing of all matters committed to his charge by virtue of this Act, or under colour of his

15 office, and also of all monies which shall have been by him received by virtue or for the purposes of this Act, or under colour of his office, and how much thereof shall have been paid and disbursed, and for what purposes, together with proper vouchers for such payments, and also a list of the names of all such persons as shall not have

20 paid the monies due from them for the purposes of this Act, and of amount due from each of them ; and every such Officer shall pay all such monies as shall remain due from him to the Treasurer for the time being, or to such person as the said Commissioners shall authorize to receive the same ; and if any such Officer shall refuse or

25 wilfully neglect to deliver such account, or the vouchers relating to such account, or such list as aforesaid, or to make payment as aforesaid, or shall refuse or wilfully neglect to deliver to the said Commissioners, or to such person as they shall authorize, within Three Days after being thereunto required by notice in writing under the

30 hands of any Two or more of the said Commissioners, to be given to or left at the last place of abode of such Officer, all books, papers, and writings in his custody or power relating to the execution of this Act, or to give satisfaction to the said Commissioners, or to such other person as aforesaid, respecting the same, then and in every

35 such case, upon complaint made, on behalf of the said Commissioners, by such person as they shall authorize for that purpose, of any such refusal or wilful neglect as aforesaid to any Justice of the Peace for the county or other jurisdiction wherein such Officer so refusing or neglecting shall be or reside, such Justice is hereby

40 authorized and required to issue a warrant under his hand and seal for bringing such Officer before any Two Justices of the Peace for such county or jurisdiction, and upon the said Officer appearing or not being found, it shall be lawful for such Justices to hear and determine the matter in a summary way ; and if it shall appear to such Justices that any monies remain due from such Officer, such

188.
Officers to
account, &c.
according to
the orders of
the Commis-
sioners.

Summary
remedy
against
Officers for
not account-
ing, &c.

Justices may and they are hereby authorized and required, upon non-payment thereof, by warrant under their hands and seals, to cause such monies to be levied by distress and sale of the goods of such Officer, and if sufficient goods shall not be found to satisfy the said monies and the charges of the distress, or if it shall appear to such Justices that such Officer has refused or wilfully neglected to deliver such account or the vouchers relating thereto, or such list as aforesaid, or that any books, papers or writings relating to the execution of this Act remain in the hands or in the custody or power of such Officer, and that he has refused or wilfully neglected to deliver the same, or to give satisfaction respecting the same as aforesaid, then and in every such case such Justices shall and they are hereby required to commit such offender to the common gaol or house of correction for the county or jurisdiction where such offender shall be or reside, there to remain without bail until he shall have paid such monies as aforesaid or shall have compounded with the Commissioners for such monies, and shall have paid such composition in such manner as they shall appoint, (which composition the said Commissioners are hereby empowered to make and receive,) or until he shall have delivered a true account as aforesaid, together with such vouchers and list as aforesaid, or until he shall have delivered up such books, papers and writings, or have given satisfaction in respect thereof to the said Commissioners or to such other person, as the case may be: Provided always, That no person so committed shall be detained in prison for want of sufficient distress only for a longer space of time than Three calendar Months: Provided also, That nothing in this Act contained shall prevent or abridge any remedy by action against any such Officer so offending as aforesaid, or against any surety for any such Officer, but such Officer shall not be sued by action and also proceeded against in a summary manner by virtue of this Act for the same cause.

Proviso and
remedy by
Action.

189.
Property of
the Corpora-
tions vested
in the Com-
missioners.

And be it further Enacted, That on the day on which any Body Corporate named in connexion with any Borough in Schedule (B.) to this Act annexed shall be dissolved by virtue of this Act, all the manors, advowsons, messuages, town halls, public and other buildings, lands, rents, hereditaments, leasehold estates, goods, chattels, money, debts, stocks, funds, securities, personal estate and effects, and all other property whatsoever and wheresoever, and of what nature or kind soever of or to which any such Body Corporate, or any one or more of the members of such Body Corporate, in his or their corporate capacity, is or are or shall be seised or possessed or entitled for any estate or interest whatsoever, (except property held in trust for any charitable uses or trusts or other purposes, and property in respect of which other provisions are herein contained,) and all the estate, right, title and interest of such Bodies Corporate, member or members, shall be and

and the same are hereby vested in the Commissioners to be elected in such Borough respectively in pursuance of this Act, subject to such mortgages, charges, debts and incumbrances, rents, contracts, covenants and conditions, as the same respectively shall then be subject or liable to.

And be it further Enacted, That every person and Body Corporate who on the day preceding the day on which any Body Corporate named in connexion with any Borough in Schedule (B.) to this Act annexed shall be dissolved by virtue of this Act, shall owe any sum of money to such Body Corporate, shall pay the same, together with all interest (if any) due or to accrue due for the same, to the Commissioners to be elected in such Borough in pursuance of this Act or their Treasurer; and all rents and sums of money which on the same day shall be due and payable, or then accruing due and payable to such Body Corporate, shall become and be due and payable to the said Commissioners, and shall and may be collected and recovered by the like ways and means, and with the same penalties in respect thereof, and in like manner as the Body Corporate to whom the same respectively shall be due or payable might have collected and recovered the same respectively if this Act had not been passed; and all conveyances, contracts, agreements, bonds, covenants and securities made or entered into before the day on which such Body Corporate shall be dissolved, to, with or in favour of such Body Corporate, shall be good, valid and effectual in favour of the said Commissioners, and may be enforced in the same manner to all intents and purposes as such Body Corporate might have enforced the same if this Act had not been made.

190.
Debts and
Contracts of
Corporations
may be
enforced by
the Commis-
sioners.

And be it further Enacted, That every person and Body Corporate who, on the day preceding the day on which any Body Corporate named in connexion with any Borough in Schedule (B.) to this Act annexed shall be dissolved by virtue of this Act, shall claim to be entitled, or would thereafter if this Act had not been passed have become entitled, to any sum of money owing from or payable by such Body Corporate, or shall claim any part of the property of such Body Corporate in respect of any mortgage, charge, conveyance, contract, agreement, bond, covenant or security which shall have been made or entered into with or in favour of him or them by such Body Corporate before the same day, shall and may recover or enforce the same as against the property of such Body Corporate respectively by this Act vested in the said Commissioners by the same actions, suits, remedies or proceedings against the said Commissioners, and in the same manner as he or they respectively might have recovered or enforced the same against such Body Corporate respectively, if this Act had not been made; but the costs of the said Commissioners in

191.
Property
vested in the
Commis-
sioners to be
subject to the
claims of cre-
ditors, &c.
of the Corpo-
rations.

any such actions, suits, remedies or other proceedings shall be raised and paid out of the property of such Body Corporate respectively hereby vested in them in preference to any sum of money, costs, damages or expenses, claim or demand in favour of any such person or Body Corporate claiming as aforesaid.

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192.
Power of
sale and
leasing
restrained.

And be it Enacted, That it shall not be lawful for any Body Corporate named in the said Schedule (B.) at any time after the passing of this Act to sell, mortgage or alienate the lands, tenements and hereditaments of the said Body Corporate, or any part thereof, except in pursuance of some covenant or contract or agreement bonâ fide made or entered into on or before the Fifth day of June in the year One thousand eight hundred and Thirty-five, by or on behalf of such Body Corporate, or of some resolution duly entered in the Corporation books of such Body Corporate on or before the said Fifth day of June, or to demise or lease, except in pursuance of some covenant, contract or agreement bonâ fide made or entered into on or before the said Fifth day of June, by or on behalf of such Body Corporate, or in pursuance of some resolution duly entered in the Corporation books of such Body Corporate on or before the said Fifth day of June, except in the cases hereinafter mentioned, any lands, tenements or hereditaments of such Body Corporate, or any part thereof, or to enter into any new contract or agreement, except in the cases hereinafter mentioned, for demising or leasing the said lands and tenements and hereditaments, or any part thereof, for any term exceeding Thirty-one Years from the time when such lease shall be made, or if made in pursuance of a previous agreement, then from the time when such agreement shall have been entered into ; and in every such lease for any term not exceeding such term of Thirty-one Years there shall be reserved and made payable, except in the cases hereinafter mentioned, during the whole of the term thereby granted, such clear yearly rent as to the Body Corporate shall appear reasonable, without taking any fine for the same.

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193.
Provision in
certain cases
of leasing.

Provided always, and be it Enacted, That in all cases in which any Body Corporate shall on the Fifth day of June in the year One thousand eight hundred and Thirty-five have been bound or engaged by any covenant or agreement, express or implied, or have been enjoined by any deed, will or other document, or have been sanctioned or warranted by ancient usage or by custom or practice, to make any renewal of any lease for years, or for life or lives, or for years determinable with any life or lives at any fixed or determinate or known or accustomed period, or after the lapse of any number of years, or on the dropping of any life or lives, at a fine certain, or under any special or specific terms or conditions, and also in all cases in which any Body Corporate shall theretofore have ordinarily made

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made renewal of any lease for years, or for life or lives, or for years determinable with any life or lives, at any fixed or determinate or known or accustomed period, or after the lapse of any number of years, or upon the dropping of any life or lives, upon the payment of
 5 an arbitrary fine, it shall be lawful for such Body Corporate, and after the dissolution thereof by virtue of this Act for the Commissioners to be appointed in the Borough named in connexion with such Body Corporate in the said Schedule, to renew such lease for such term or number of years, either absolute or determinable with
 10 any life or lives, or for such life or lives, and at such rent, and upon the payment of such fine or premium, either certain or arbitrary, and with or without any covenant for the future renewal thereof, as such Body Corporate could or might have done in case this Act had not been passed.

15 And be it Enacted, That all purchases, sales, leases and demises not made in pursuance of some such bonâ fide covenant, contract, agreement or resolution made and entered into as aforesaid before the said Fifth day of June, and all contracts for the purchase, sale, lease or demise of any lands, tenements and hereditaments, and all
 20 divisions and appropriations of the monies, goods and valuable securities, or any part of the real or personal estate of which on or before the said Fifth day of June the Body Corporate, whether in their own right or as Trustees for charitable or other purposes, was seised or possessed, which shall have been made or contracted
 25 between the said Fifth day of June, may be called in question by the Commissioners for the Borough named in connexion with such Body Corporate in the said Schedule; and for that purpose, if it shall appear to such Commissioners that there is ground for believing that any such purchase, sale, lease or demise, or such contract, or
 30 such division or appropriation of the premises, was collusively made for no consideration, or for an inadequate consideration, such Commissioners, at any time within Twelve calendar Months next after the election of such Commissioners, shall have such or the like powers of causing to be inquired of and found, upon notice, of the
 35 value of the lands, tenements, hereditaments and premises in question, and the consideration which shall have been given, and also that which ought of right to have been given for the purchase, sale, lease, demise or appropriation thereof, according to the terms of such purchase, sale, lease, demise, contract or appropriation; and
 40 the party to any such purchase, sale, lease, demise, contract or appropriation shall have in similar cases the like option either to re-convey and restore the lands, tenements, hereditaments and premises in question, and to abandon the contract to which he shall have been party, or to give in each case additional consideration upon the like terms and with the like provisions, unless he shall

194.
 Collusive purchases, sales and demises of Corporate property since the 5th June, 1835 for undue consideration may be set aside.

make such option for making void every such purchase, sale, lease, demise, contract and conveyance, and with all the like provisions, powers and authorities, and subject to the like regulations and provisions, as hereinbefore are given to the Council first to be elected in any Borough named in the said Schedule (A.) under the provisions of this Act in similar cases. 5

195.
Charitable
Trustees and
Trusts, and
powers for
beneficial
owners.

And be it further Enacted, That the provisions hereinbefore contained, to take effect on the day upon which this Act shall come into operation, with respect to any hereditaments, or any sums of money, chattels, securities for money or any other personal estate of which the Body Corporate in any Borough named in the said Schedule (A.) or any one or more of the members of such Body Corporate in his or their corporate capacity, or any person or persons elected from among or out of the members or any of the members of such Body Corporate, or any person or persons elected solely by such Body Corporate, or solely by any particular number, class or description of members of such Body Corporate, stands or stand, solely or together with any other Body or Bodies Corporate, person or persons, seised or possessed, for any estate or interest whatsoever, in whole or in part for the benefit of any charitable uses or trusts whatsoever ; and also with respect to powers or provisions of any Act or Acts of Parliament authorized to be exercised by any such Body Corporate, person or persons, for supplying Water or Gas, or for any other purpose producing profits, which, or part of which, are to be divided between shareholders or proprietors, or other persons for their own benefit, and which provisions are to take effect on the day on which this Act shall come into operation, shall, upon the dissolution by virtue of this Act of any Borough named in the said Schedule (B.) to this Act annexed, but not before, be extended and be applied to any hereditaments, or any sums of money, chattels, securities for money or other personal estate, or powers or authorities, which the Body Corporate in any Borough named in the said Schedule (B.) which shall be dissolved by virtue of this Act, or any one or more of the members thereof in his or their corporate capacity, or any person or persons elected from among or out of the members or any of the members of such Body Corporate, or by such Body Corporate or any member or members thereof as aforesaid, stands or stand, solely or together, as aforesaid, seised or possessed for any estate or interest whatsoever upon trust for any charitable uses or trusts ; and with respect to powers or provisions of any Act or Acts of Parliament authorized to be exercised by any such Body Corporate, person or persons, for the like purposes as aforesaid, in the same manner to all intents and purposes as if the same provisions were repeated, the words “Borough named in the said Schedule (A.)” being altered into the words “Borough named in

in the said Schedule (B.), and which shall be dissolved by virtue of this Act," and were made to take effect on the day of the dissolution of such Body Corporate respectively, instead of the day on which this Act shall commence.

5 And be it Enacted, That all powers and trusts not otherwise herein provided for which by any Act of Parliament or otherwise are vested in or exercised by any Body Corporate named in the said Schedule (B.) which shall be dissolved by virtue of this Act, or any member or members thereof in his or their corporate capacity, or
 10 any limited number, class or description thereof, or any person or persons elected from among or out of the members of such Body Corporate or any of them, or any person or persons elected by such Body Corporate or any member or members thereof, shall, upon the day on which such Body Corporate respectively shall be dissolved,
 15 and thenceforth until Parliament shall otherwise provide, be exercised in manner hereinafter mentioned; (that is to say,) such of the said powers as relate to the appointment of Justices of the Peace or Magistrates (other than the election of persons who shall in their corporate capacity be such Justices or Magistrates), or to the
 20 appointment of other Officers for the administration of justice, or in anywise relating thereto, or to the appointment of Constables or other persons for purposes relating to Police, shall be exercised by the Lord Lieutenant as if he had been named in such Act of Parliament respectively instead of such Body Corporate, or member or
 25 members, person or persons, and all other of the said powers not otherwise herein provided for shall be exercised, alone, or together with such other persons (if any) as would have been entitled to join in exercising the same if this Act had not been passed, by the said Commissioners, or if there be no such Commissioners, then until
 30 Parliament shall otherwise provide, by such Trustees as the Lord Chancellor of Ireland or Lords Commissioners for the Custody of the Great Seal for the time being shall by order to be from time to time made upon petition in a summary way appoint and select.

196.
 Saving provisions of
 Local Acts.

And be it further Enacted, That in every case in which any Body
 35 Corporate named in the said Schedule (B.) to this Act annexed which shall be dissolved by virtue of this Act, or any One or more of the members of such Body Corporate in his or their corporate capacity, or any limited number, class or description of the members thereof, or any person or persons elected from among or out of the
 40 members of such Body Corporate, or any person or persons elected by any such Body Corporate, or any member or members thereof, is any other Body Corporate, or part of, or is or are a member or members of any other Body Corporate for any charitable or public or other purpose, such other Body Corporate shall continue in force

197.
 Other Corporations of which any Body Corporate named in the Schedule, or any of its members, form part, to be continued

as if this Act had not passed; and on the day of the dissolution of such Body Corporate respectively, and thenceforth until Parliament shall otherwise provide, where any Body Corporate named in the said Schedule (B.) to this Act annexed is such other Body Corporate or part thereof, then, instead of such Body Corporate, the said Commissioners, where there shall be such Commissioners, shall be members of such other Body Corporate. 5

198.
Sale of Advowsons, &c.

And be it Enacted, That in every case in which a Body Corporate named in the said Schedule (B.) which shall be dissolved by virtue of this Act, or any particular class, number or description of members, or the governing body of any Body Corporate, now is or are, in their corporate capacity, and not as Charitable Trustees, according to the meaning and provisions of this Act, seised or possessed of any manors, lands, tenements, or hereditaments whereunto any advowson or right of nomination or presentation to any benefice or ecclesiastical preferment is appendant or appurtenant, or of any advowson in gross, or hath or have any right or title to nominate or present to any benefice or ecclesiastical preferment, and the same would, if such Body Corporate had been named in Schedule (A.) to this Act annexed, have been sold and conveyed by such Body Corporate according to the provisions hereinbefore contained, the same shall be sold in like manner, at such time, and in such manner as the Ecclesiastical Commissioners for Ireland may direct, so that the best price may be obtained for the same; and it shall be lawful for the Commissioners of such Borough, and they are hereby authorized and required, with the consent of the said Ecclesiastical Commissioners or any Three or more of them, in writing under their hands, to convey and assure the same in like manner as a Body Corporate of any Borough named in the said Schedule (A.) is hereinbefore authorized and required to convey and assure, under the common seal of such Body Corporate, in a similar case, any such advowson or such right of nomination or presentation as aforesaid; and every such conveyance and assurance made by the said Commissioners shall have the same force and effect as a conveyance under the Common Seal of any Body Corporate named in the said Schedule (A.) would have had by virtue of the provisions hereinbefore contained, or otherwise, if such advowson or such right of nomination or presentation had been the property of such Body Corporate; and the proceeds of every such sale shall be paid to the Treasurer of the Commissioners of the Borough, whose receipt shall be a sufficient and effectual discharge to the purchaser or purchasers to whom the same shall be given for the amount of his or their purchase money: Provided always, That in any case of vacancy arising before any such sale shall have taken place and been completed, such vacancy shall be supplied by the presentation or nomination 10 15 20 25 30 35 40

nomination of the Bishop or ordinary of the diocese in which such benefice or Ecclesiastical preferment is situated.

And be it further Enacted, That the said Commissioners of every Borough shall with all convenient speed ascertain and collect all the
 5 real and personal property belonging to the Body Corporate named in the said Schedule (B.) to this Act annexed in connexion with such Borough, and which shall become vested in such Commissioners by virtue of this Act, and shall ascertain the revenue and income produced thereby, and all the charges and incumbrances upon and the
 10 outgoings and debts payable in respect of the same.

199.
 Commissioners to ascertain and collect the property and revenues of Corporations.

And be it further Enacted, That it shall be lawful for the said Commissioners in any Borough to commence and prosecute any actions, suits or proceedings for collecting and recovering the property of the Body Corporate named in the said Schedule (B.) to this Act annexed in
 15 connexion with such Body respectively, and to discontinue or compromise any such action, suit or proceedings, and to allow any time which they may think proper for payment of any money due and owing to them in respect thereof, and also to pay any debt or sum of money claimed to be due from any such Body Corporate and to be payable
 20 out of such property, upon any evidence which they may think proper to admit, and to defend or compromise any action, suit or other proceeding which may be brought against them by virtue of this Act, and to adjust and settle any account or accounts depending between such Body Corporate and any person or persons or other
 25 Body Corporate or Bodies Corporate, and submit to arbitration any difference between such Body Corporate or the said Commissioners, and any other person or persons relating to the property of such Body Corporate, and abide by and perform the award of any arbitrator or arbitrators respecting the same, and to do, perform and execute
 30 all such deeds and things as they, the said Commissioners respectively, shall think expedient for ascertaining and collecting in the most advantageous manner the property vested in them by virtue of this Act, and settling all claims and demands relating thereto.

200.
 Commissioners empowered to bring and defend Actions, and compromise and settle Accounts.

And be it further Enacted, That the said Commissioners of every
 35 Borough shall cause an account to be kept of the property belonging to the Body Corporate named in the said Schedule (B.) to this Act annexed in conjunction with such Borough, and vested in such Commissioners by virtue of this Act, and of all rents, profits, revenue, income and sums of money to be received in respect thereof or produced therefrom, and of the application and appropriation thereof;
 40 and the property comprised in every such account shall be called

201.
 Commissioners to keep an account of the property of the Corporation, which shall be called the Town Fund of the Town.

the Town Fund of the Borough for which such Commissioners respectively shall have been chosen ; and all sums of money received by the Treasurer of such Commissioners in respect of the property comprised in every such account shall, when the same shall not be directed by the said Commissioners to be immediately applied to any other purpose, be paid into the Bank of Ireland in the name of the Treasurer of such Commissioners to an account called the account of the Town Fund of the Borough of which the same shall form part. 5

202.
Commission-
ers to pay
debts due
from Corpo-
rations.

And be it further Enacted, That the said Commissioners of every Borough shall, with all convenient speed, pay or make due provision for payment out of the Town Fund of such Borough of the outgoings, rates and charges payable in respect of the property therein comprised, and of all charges and incumbrances payable thereout, and of all debts, annuities, pensions, allowances and sums of money payable by the Body Corporate to whom the property comprised in such Town Fund shall have belonged. 10 15

203.
Commission-
ers may lease
and manage
Revenues.

And be it further Enacted, That it shall be lawful for the said Commissioners of every Borough, from time to time, to demise or lease any such manors, messuages, lands or hereditaments vested in them by virtue of this Act, or any part or parts thereof, from year to year, or for any term or number of years, either with or without taking any fine or premium for the same, and on such other terms as such Commissioners shall think expedient, and also to cause any repairs to be made to any buildings or premises which they may think expedient, and to insure any buildings from loss or damage by fire, and pay the expenses of such repairs and insurances out of the said Town Fund, and also cause to be invested in their names, or in the name of their Treasurer any monies forming part of any such Town Fund, in any stocks, funds or securities, and alter and vary such stocks, funds and securities as they shall think proper, and in all other respects manage the property comprised in every or any such Town Fund, and invest or dispose of the same and all revenues thereof in such manner as they shall think most advantageous. 20 25 30

204.
Expenses to
be paid out
of such fund,
and residue
to local Com-
missioners.

And be it further Enacted, That in the meantime, and until Parliament shall otherwise provide, the said Commissioners to be elected in any Borough in pursuance of this Act shall, subject to the payment of any debt payable out of any Town Fund, or such part thereof as such Commissioners shall, from time to time, be required or deem it expedient to pay, and the interest thereof, or so much thereof as shall, for the time being, remain unpaid, and all other charges and expenses to be paid thereout, as hereinbefore is mentioned, pay the surplus income or revenue of any such Town Fund to the Commissioners appointed in such towns respectively by virtue of the said Act 35 40

Act

Act of the ninth year of the reign of his said late Majesty, in aid or diminution of the rates to be received by them, or to any local Board or Boards of Commissioners or Trustees in such town appointed or to be appointed under any Local Act or Acts of Parliament, in such
 15 manner and in such proportions as the said Commissioners to be appointed by virtue of this Act, with the consent of the Lord Lieutenant, shall think proper; and in case the surplus income of the Town Fund of any town shall be more than sufficient for the purposes aforesaid, the residue thereof, or in cases where there shall be
 10 no such Commissioners or such Board as aforesaid, the whole of such surplus income and revenue shall be applied by the said Commissioners, under the direction of the Lord Lieutenant, for the public benefit of the inhabitants of such town respectively.

And be it further Enacted, That the said Commissioners of every
 15 Borough shall, with all convenient speed, and within Two Years next after the passing of this Act, make a report or reports in writing to the said Lord Lieutenant, and thereby state the nature and amount of the property belonging to the Body Corporate named in the said Schedule (B.) to this Act annexed in connexion with such Borough,
 20 and which shall become vested in such Commissioners respectively by virtue of this Act, and from the Town Fund of such Borough respectively, and also the particulars and amount of the incumbrances and debts and outgoing charges upon and payable out of the same, and the means whereby such incumbrances and debts can
 25 be paid or satisfied in the most advantageous manner, and also any leases which they shall have made or shall think proper to make of any part of any such Town Fund, and the manner in which any monies produced therefrom or received from the revenue or income thereof shall have been or shall be proposed to be expended or
 30 applied, and also the probable amount of the value of such Town Funds respectively, and of the income thereof, after all the incumbrances and debts payable thereout shall have been discharged or satisfied.

205.
 Commissioners to make reports to the Lord Lieutenant.

And be it further Enacted, That the said Commissioners of any
 35 Borough, with the consent of the said Lord Lieutenant (testified by some writing under his hand), shall out of the monies forming part of the Town Fund of such Borough, purchase such annuities, leases or other interests charged upon or existing in any property forming part of such Town Fund as they shall think it advantageous to purchase; and that the said Commissioners shall and they are hereby
 40 empowered, with the consent of the Lord Lieutenant, to be signified by some writing under his hand, to abolish any tolls forming part of the Town Fund of such Borough, after full payment or satisfaction of all debts and charges upon the said tolls, or to which they may be liable, which it may be thought desirable to abolish, and also to

206.
 Commissioners may purchase outstanding Charges, Leases, &c.

Commissioners may abolish Tolls.

purchase any tolls which it may be thought desirable to purchase, in order that the same may be abolished, and after the conveyance thereof to them to abolish the same ; and the said Commissioners shall cause notice to be given of the abolition of all such tolls as shall be abolished as aforesaid, by advertisement in the Dublin Gazette, and also in one or more newspaper or newspapers usually circulated in the town in which such tolls respectively shall be payable. 5

207.

Commissioners may appropriate public Buildings to public purposes for the benefit of the Towns.

And be it further Enacted, That it shall be lawful for the said Commissioners of any Borough, with the consent of the said Lord Lieutenant (testified by some writing under his hand), to appropriate and settle any Town Hall, Police Office, or other public building in any Town forming part of the Town Fund of such borough respectively, for the purposes of a Court for the holding of Quarter Sessions, or a Court of Record for Civil Actions, or a Court of Conscience, or Police Station, and for that purpose to convey the same to any Commissioners or Trustees upon such trusts, with such powers of appointing new Trustees, and other powers, and in such manner as the said Commissioners shall think proper. 10 15 20

208.

Commissioners may remove Officers.

And be it Enacted, That it shall be lawful for the said Commissioners of any Borough, with the consent of the Lord Lieutenant, to remove from the performance of the duties which, notwithstanding his office shall have ceased, he shall continue to perform in pursuance of this Act, every person who shall on the day preceding the day of the dissolution of the Body Corporate therein be a Town Clerk, Bailiff, Treasurer or Chamberlain, or other ministerial or executive Officer of such Borough, or of the Body Corporate named in the said Schedule (B.) to this Act annexed, in connexion with such Borough; and every such person or Officer who shall be in possession or receipt of any monies, goods, valuable securities, books or papers belonging to or concerning the Body Corporate whose Officer he is, shall deliver up and account for the same to such Commissioners ; and in case he shall refuse or wilfully neglect to deliver such accounts, vouchers and lists, or to make such payments, or to deliver such books, papers and writings, or to give satisfaction respecting the same as is hereinbefore provided in the case of Officers appointed by such Commissioners, every such person or Officer may be proceeded against, and shall be subject and liable to the several provisions hereinbefore contained in cases of Officers appointed by such Commissioners. 25 30 35 40

209.

Officers to receive Compensation on removal.

And be it Enacted, That the said Commissioners of every Borough shall take into consideration and determine upon the amount and nature of compensation which they shall think ought to be given to

to any member of any Body Corporate or Officer or person whose office shall be abolished, or who shall be removed from his office or deprived of fees and emoluments to which he would have been entitled if this Act had not been passed; and in case and as soon
5 as they shall have determined upon the amount or nature of the compensation to be given in any such case, they shall cause notice in writing to be given to such Officer or person; and in case the claim of such Officer or person shall be admitted in part and disallowed in part, such notice shall specify the particulars in which
10 the same shall have been admitted and disallowed respectively; and in case the Officer or person preferring such claim shall think himself aggrieved by the determination of the Commissioners thereon, it shall be lawful for the officer or person preferring such claim to appeal to the Lords Commissioners of Her Majesty's
15 Treasury, who shall thereupon make such order as to them shall seem just, and such order, signed by Three or more of such Lords Commissioners, shall be binding on all parties: Provided also, That the Officer or person preferring such claim, if any Commissioners shall so require, upon receiving notice in writing, shall from time
20 to time attend at any meeting or adjourned meeting of the Commissioners for the investigation of such claim, and then and there upon his oath or solemn affirmation, or his declaration to be taken or made before the said Commissioners (any one of whom is hereby authorized to administer the same), shall answer all such questions
25 as shall be asked by any Commissioners touching the matters set forth in the statement subscribed by such person as aforesaid, and produce all books, papers and writings in his possession, custody or power relating thereto: Provided also, That every such Officer or person who shall be continued in or re-appointed to such office
30 under the provisions of this Act, and who shall be subsequently removed from such office for any cause other than such misconduct as would warrant removal from any office held during good behaviour, shall be entitled to compensation in like manner as if he had been forthwith removed under the provisions of this Act, and had
35 not been continued in or re-appointed to such office.

And be it Enacted, That the amount of the sum or annuity payable to any person as such compensation as aforesaid, if not forthwith paid, shall be secured to such person by a certificate or certificates in writing under the Seal of the Commissioners of the Borough
40 out of the Town Fund of which the same shall be payable, stating that the Town Fund of the town in which such person shall be or have been in office is liable to the payment to such person, his executors or administrators or assigns, of the amount of such sum, with interest and all arrears (if any) accrued due before the date of such certificate respectively; and every such certificate shall be prepared and executed at the expense of such Town Fund respectively.

210.
Compensation
to be secured
by Certificate.

tively, and delivered to the person entitled to such compensation, as soon as conveniently may be after the amount thereof shall have been determined as aforesaid by the said Commissioners, or shall have been determined in the event of such appeal as aforesaid, by order of the said Lords Commissioners.

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211.
Certificates
to be given
to Persons
entitled to
Pensions, &c.

And be it Enacted, That when any person shall be entitled to any pension, allowance, stipend or sum of money payable out of the Town Fund of any Borough which shall be sufficient for payment thereof, the said Commissioners of such Borough shall give a certificate under their Common Seal to such person that such Town Fund is liable to the payment to such person, his executors and administrators, of such pension, allowance, stipend, or sum of money, with all arrears thereof, if any, accrued due before the date of such certificate, and such certificate shall be prepared and executed at the expense of the Town Fund.

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212.
Accounts of
Receipts and
Disburse-
ments to be
published.

And be it further Enacted, That the Commissioners to be appointed in every Borough in pursuance of this Act, shall in the month of January in every year, cause to be made out in writing and to be printed a full abstract of the accounts relating to the Town Fund of such Borough for the year; and a copy thereof shall be deposited with such person resident in such town as the Commissioners shall appoint, and shall be open to the inspection of all the inhabitants of such town, and copies thereof shall be delivered to all inhabitants of such town applying for the same, on payment of One Shilling for each copy.

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213.
Proceedings
of Commis-
sioners to be
recorded and
submitted to
Lord Lieu-
tenant.

And be it further Enacted, That the Commissioners to be elected in any Borough in pursuance of this Act shall cause all their proceedings to be entered in writing in a book or books, which shall be submitted to the Lord Lieutenant as often as he shall require the same.

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214.
Commission-
ers to report
Proceedings
to Lord Lieu-
tenant when
required.

And be it further Enacted, That the said Commissioners to be elected in any Borough in pursuance of this Act shall from time to time, at such time as the said Lord Lieutenant shall direct, give to the said Lord Lieutenant requiring the same such information respecting their proceedings or any part thereof as the said Lord Lieutenant shall require.

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215.
Commission-
ers to make a
general Report
to Lord Lieu-
tenant to be
laid before
Parliament.

And be it Enacted, That the said Commissioners to be elected in any Borough in pursuance of this Act shall, before the First day of March in each year, transmit to the Lord Lieutenant a general Report of their proceedings within the year preceding, which Report shall be prepared in such form and manner as the

40

Lord

Lord Lieutenant shall direct; and such Report shall refer to the year ended upon the First of January of the year in which such Report is hereby required to be so transmitted, and such Report, or an abstract thereof, shall be laid before both Houses of Parliament during their sitting in the same year in which the Report shall be transmitted as aforesaid.

And be it further Enacted, That in every Borough named in the said Schedule (B.) to which no Charter of Incorporation, in pursuance of any petition signed as aforesaid, shall be granted within
 10 Twelve calendar Months next after the day on which this Act shall come into operation in any such Borough, and in which Borough no Board of Commissioners shall be constituted, by reason of the Body Corporate in such Borough not being seised or possessed of, or entitled to any property consisting of any real
 15 estate, or of or to any personal estate exceeding in annual amount or value the sum of One hundred Pounds, the Mayor, Aldermen and Common Council, or other governing Officers of such Body Corporate, shall pay the surplus income and revenue, (if any) of or to which such Body Corporate shall be possessed or entitled to
 20 the Commissioners appointed in such town respectively by virtue of the said Act of the ninth year of the reign of King GEORGE the Fourth, in aid or diminution of the rates to be received by them, or to any local Board or Boards of Commissioners or Trustees in such town appointed or to be appointed under any
 25 Local Act or Acts of Parliament, in such manner and in such proportion as the said Mayor, Aldermen and Common Council or governing Officers shall think proper; and in case there shall be no such Commissioners or such Board as aforesaid, the whole of such surplus income and revenue shall be applied by the said
 30 Mayor, Aldermen and Common Council or other governing Officers, under the direction of the Lord Lieutenant, for the public benefit of the inhabitants of such town respectively.

216.
Where no Commissioners are appointed the governing officers of the Corporation to apply the funds (if any) for the benefit of the Town.

And be it further Enacted, That in case a Charter of Incorporation shall not be granted upon such petition as aforesaid to
 35 the town of Carrickfergus, then from and after the dissolution of the Body Corporate named in the said Schedule (B.) to this Act annexed in connexion with such town, if a Sheriff of the said town shall not then have been appointed as hereinbefore is mentioned, the person who shall on the day preceding such dissolution
 40 fill the office of Sheriff of the said town, shall be and remain such Sheriff, and fulfil and execute the duties of the said office, until the Sheriff of the said town, to be appointed as hereinbefore is mentioned, shall come into office, and no longer.

217.
Sheriff of Carrickfergus to continue until new Sheriff is appointed.

218.
Provisions
relating to
separate
Commis-
sions,
Courts of
Record,
and Record-
ers of Coun-
ties of Towns
in Schedule
(A.) to ex-
tend to Car-
rickfergus
(except that
the Recorder
shall be
entitled only
to Fees).

And be it further Enacted, That all the powers, authorities, directions, provisions, regulations, clauses, matters and things hereinbefore contained, with respect to the assignment to so many persons as Her Majesty shall think proper to act as Justices of the Peace in and for each of the Boroughs, being counties of towns respectively, named in the said Schedule (A.), to which Her Majesty may be pleased to grant a Commission of Peace, and to the Clerk of such Justices, and to the grant of a separate Court of Quarter Sessions of the Peace, or a Court of Record for the Trial of Civil Actions, in and for such Borough, and the proceedings therein, and to a Recorder of such Borough, and the Clerk of the Crown or Clerk of the Peace therein, shall extend and be applied to the said town of Carrickfergus in the same manner as if such town had been named in Schedule (A.) to this Act annexed, except that no salary or emolument (other than fees) shall be paid to the Recorder of the said town of Carrickfergus, and that Her Majesty may grant that a Court of Quarter Sessions of the Peace and a Court of Record for the Trial of Civil Actions, or either of them, shall be holden in and for such town without any petition for that purpose having been made to the Lord Lieutenant and Privy Council in Ireland ; and that in the absence of the Recorder and Deputy Recorder the Clerk of the Peace or other person discharging the duties of that office, and the Registrar of the Court of Record, instead of the Mayor, shall and they are hereby respectively authorized to open and adjourn over the said respective Courts, and to respite recognizances conditioned for appearing at the same.

219.
Existing
Courts of
Record to be
continued
until deter-
mined by the
Lord Lieu-
tenant.

AND whereas in several of the Boroughs named in the said Schedule (B.) there are Courts of Record for the Trial of Civil Actions, and such Courts, when well regulated, have been found useful to the inhabitants of the said towns ; BE it Enacted, That from and after the passing of this Act all the powers, authorities, usages and jurisdiction of any existing Court of Record in every town named in the said Schedule (B.) to this Act annexed in which the Body Corporate named in connexion with the said Borough in the said Schedule shall be dissolved by virtue of this Act, whether the same shall have been established by usage, statute or otherwise, shall continue in the same manner as if this Act had not passed, until the Lord Lieutenant shall think proper to determine the same ; and at any time it shall be lawful for the Lord Lieutenant, by an order under his hand, to declare that any such Court shall be discontinued at a time to be mentioned in such order, and to be not less than Two calendar Months after the date of such order ; and every such order shall be advertised in the Dublin Gazette ; and at the time appointed for that purpose in such order, such Court

Court of Record, and all powers, authorities and jurisdictions thereof, shall wholly cease and determine, save only as to the execution of any decrees or orders of the said Court theretofore lawfully made; and the present Judge and other Officers of the
 5 said Court shall, during the continuance thereof, remain in their respective offices, notwithstanding he, they or any of them may have ceased to hold any office by virtue of which he or they shall be such Judge or Officer or Officers; and upon any future vacancy in the office of Judge of any such Court, the Lord Lieutenant shall
 10 appoint a fit person, being a Barrister of not less than Six Years' standing, to be Judge of such Court during the continuance thereof and his good behaviour, and upon any vacancy in any other office belonging to such Court the Judge of the Court shall appoint a fit person to supply such vacancy.

15 AND whereas in several of the Boroughs in Ireland named in the said Schedule (B.) there have been Courts for the Recovery of Small Debts in a summary way, commonly called Courts of Conscience, and such Courts when well regulated have been found
 20 expedient to make new and further provisions for the establishment and regulation of such Courts in certain cases; BE it Enacted, That from and after the passing of this Act all the powers, authorities and jurisdictions of any existing Court for the Recovery of Small Debts, commonly called the Court of Conscience, in every
 25 Borough named in the said Schedule (B.) to this Act annexed, in which the Body Corporate named in connexion with such Borough in the said Schedule shall be dissolved by virtue of this Act, whether the same shall have been established by usage, statute or otherwise, shall continue in the same manner as if this Act had not
 30 passed, until the Lord Lieutenant shall think proper to determine the same; and at any time it shall be lawful for the Lord Lieutenant, by an order under his hand, to declare that any such Court shall be discontinued at a time to be mentioned in such order, and to be not less than Two calendar Months after the date of such
 35 order; and every such order shall be advertised in the Dublin Gazette; and at the time appointed for that purpose in such order, such Court of Conscience, and all powers, authorities and jurisdictions thereof, shall wholly cease and determine, save only as to the execution of any decrees or orders of the said Court theretofore
 40 lawfully made.

220.
Court of Conscience.

And be it further Enacted, That in case the Lord Lieutenant, with the advice and consent of Her Majesty's Privy Council in
 Ireland, shall at any time think it expedient that any Court of Conscience now existing shall be continued, or that a Court of

221.
Lord Lieutenant, with Consent of Privy Council, may appoint a Court of Conscience under

the regulations of the Act in the same or any other Town.

Conscience under such regulations as are herein contained shall be established in any Borough named in the said Schedule (B.) to this Act annexed, in which the Body Corporate named in connexion with such Borough in the said Schedule shall be dissolved by virtue of this Act, where no such Court now exists, then the Lord Lieutenant may appoint a fit person, being a Barrister of not less than Six Years' standing, who shall be and shall be called the Judge of the Court of Conscience for such town, and shall hold such office during his good behaviour; and in the event of any vacancy in such office he may appoint a fit person to be such Judge; and from and after the appointment of such Judge in such town a Court shall be holden for the recovery of small debts, to be called the Court of Conscience of such Borough, and the Judge or President of such Court shall have full power and authority to hear and determine in a summary way causes in all small debts between party and party, not exceeding in amount the sum of Forty Shillings, where the cause of action shall have accrued within the said Borough, or the defendant shall reside within the same.

222.
Recorder or Assistant Barrister may be Judge of a Court of Conscience.

And be it Enacted, That any Recorder or Assistant Barrister, whose duties shall not prevent him from performing in addition thereto the duties of a Judge of a Court of Conscience of any Borough named in the said Schedule (B.) and who shall be willing to undertake such office, shall be appointed a Judge of a Court of Conscience under the provisions of this Act.

223.
Clerks and other Officers of Courts of Conscience to be appointed by the Lord Lieutenant.

And be it further Enacted, That it shall be lawful for the Judge of the Court of Conscience of any Borough named in the said Schedule (B.) to appoint and remove at his pleasure a Clerk and other necessary Officers of such Court; and where the Recorder shall be the Judge of the Court of Conscience, the Registrar of the Court of Record shall also be the Clerk of the Court of Conscience.

224.
Proceedings of Courts of Conscience in the Boroughs in Schedule (A.) to extend to such Courts continued or established by the Lord Lieutenant.

And be it further Enacted, That all the powers, authorities, directions, provisions, regulations, clauses, matters and things hereinbefore contained with respect to the proceedings of Courts of Conscience in the Boroughs named in Schedule (A.) to this Act annexed (except the power of appeal to the Recorder of the Borough), shall extend and are hereby extended to the Courts of Conscience to be continued or established by the Lord Lieutenant, with the Advice and Consent of Her Majesty's Privy Council of Ireland as aforesaid.

225.
Town Clerk to continue Clerk of the Peace, Registrar of

Provided always, and be it Enacted, That in any Borough named in the said Schedule (B.) in which the Body Corporate named in connexion with such Borough in the said Schedule shall be dissolved by

by virtue of this Act, wherein the Town Clerk is now in right of his office Clerk of the Peace, Registrar of the Court of Record for the Trial of Civil Actions, and Clerk of the Court of Conscience, or in such right holds any of those offices, the person who shall be
 5 such Town Clerk on the day preceding such dissolution shall continue to hold the same offices respectively, or such of them as are now held by him, during good behaviour, under the provisions of this Act.

Court of
Record, and
Clerk of
Court of
Conscience.

And be it further Enacted, That the accounts for the receipt
 10 and expenditure of every Corporation, or of such Commissioners as aforesaid, shall, from and after the passing of this Act, be referred by the Secretary of State to the Commissioners appointed or to be appointed for auditing public accounts under an Act passed in the twenty-fifth year of the reign of his Majesty King GEORGE
 15 the Third, intituled, "An Act for the better examining and auditing the Public Accounts of this Kingdom," also under an Act passed in the forty-sixth year of the reign of his said late Majesty King GEORGE the Third, intituled, "An Act for making more
 20 effectual Provision for the more speedy and regular Examination and Audit of the Public Accounts of this Kingdom," and also under an Act passed in the first and second years of the reign of his late Majesty King GEORGE the Fourth, intituled, "An Act to alter and
 25 abolish certain Forms of Proceedings in the Exchequer and Audit Office relative to Public Accountants, and for making further Provisions for the purpose of facilitating and expediting the passing of Public Accounts in Great Britain; and to render perpetual and
 30 amend an Act passed in the fifty-fourth year of his late Majesty, for the effectual examination of the Accounts of certain Colonial Revenues," and all the powers and provisions now in force of the same Acts shall extend and be applicable to the examination, audit and discharge of the accounts of the said Boroughs by the said Commissioners as far as their powers and provisions are applicable thereto.

226.

Accounts to
be referred
to Commis-
sioners of
Public Ac-
counts.

25 G. 3. c. 52.

46 G.3. c. 141.

1 & 2 G. 4.
c. 121.

And be it further Enacted, That it shall be lawful for the Com-
 35 missioners of Her Majesty's Treasury for the time being, or any Three or more of them from time to time, by warrant under their hands, to direct such new arrangements in the office of the said Commissioners for auditing public accounts, and to assign to the Commissioners individually or collectively the exercise of such
 40 duties, and to make such orders and regulations in respect to the conduct of the business of the office, as the said Commissioners of Her Majesty's Treasury shall deem expedient and best calculated to insure the most prompt and speedy examination and audit of the accounts of the receipt and expenditure of the said Boroughs.

227.

Treasury em-
powered to
make new
arrangements
and regula-
tions for
auditing
Public
Accounts.

228.
 Sheriff to be
 the Returning
 Officer under
 the Reform
 Act.

And be it further Enacted, That after any Borough named in the said Schedule (B.) to this Act annexed shall be dissolved by virtue of this Act, the Sheriff of the County or his Deputy shall be the Returning Officer at all Elections (if any) of a Member or Members of Parliament for such Borough.

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229.
 Saving the
 rights of the
 Governor and
 Assistants of
 London of
 New Planta-
 tion in Ulster,
 and of Lords
 of Manors.

And be it Enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter or take away any of the rights, privileges, powers or authorities vested in or enjoyed by, or duties or liabilities imposed upon, the Society of the Governor and Assistants of London of the New Plantation in Ulster within the realm of Ireland, under or by virtue of any charter or charters heretofore granted to them by the Crown, or any Lord of any Manor, or any person or persons other than the member or members of a Body Corporate in his or their corporate capacity, or a person or persons elected or appointed by any such Body Corporate, or some member or members thereof.

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230.
 Interpreta-
 tion Clause.

And be it Enacted, That in the construction of this Act the word "Borough" shall be construed to mean City, Borough or Town Corporate, and the words "Body Corporate" shall be construed to include all guilds and fraternities of, within, or connected with such Body Corporate; and the word "Burgess" shall be construed to mean Citizen, in the case of a City; and the word "County" shall be construed to mean County or Riding; and the word "Trustees" shall be construed to mean Trustees, Commissioners or Directors, or the persons charged with the execution of a trust or public duty, by whatever name they are designated; and the word "Parish" shall be construed to extend to any extra-parochial precinct or place as well as a parish; and the words "Lord Lieutenant" shall be construed to mean the Lord Lieutenant, Lords Justices, or other Chief Governor or Governors of Ireland; and that in all things hereinafter provided to be done, until the first election of Councillors in any Borough under this Act shall have been clared, the word "Mayor" shall be construed to mean the chief Officer of a Borough, by whatever name he is now called, or when there may be no such chief Officer, the Returning Officer at elections of Members to serve in Parliament for such Borough, or when there may be neither any such chief Officer or Returning Officer, then such person as the Lord Lieutenant for the time being shall by writing under his hand appoint to perform the duty of Mayor under the provisions herein contained; and in describing any person or thing any word importing the singular number shall be construed to mean also several persons or things respectively, unless there be something in the subject or context repugnant to such construction; and that no misnomer or inaccurate description of any person, Body Corporate, or place named in any Schedule to this

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this

this Act annexed, or in any Burgess Roll, Burgess List, Ward List notice, or Voting Paper required by this Act, shall hinder the full operation of this Act with respect to such person or place, provided that such person or place shall be so named as to be commonly
 5 understood ; and in all cases where an oath or affidavit is required under this Act, the affirmation or declaration of a Quaker, Moravian, or Separatist shall be accepted in lieu of such oath or affidavit.

And be it Enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

231.
 Act may be
 altered this
 Session.

SCHEDULES

TO WHICH THIS ACT REFERS.

SCHEDULE (A.)

BOROUGH.	Wards.	Aldermen.	Councillors.	STYLE OF CORPORATE BODY.
BELFAST - - -	5	10	30	-- The Sovereign, Free Burgesses and Commonalty of the Borough of Belfast.
CLONMEL - - -	3	6	18	-- The Mayor, Free Burgesses and Commonalty of the Town of Clonmel.
CORK - - -	8	16	48	-- The Mayor, Sheriffs and Commonalty of the City of Cork.
DROGHEDA - - -	3	6	18	-- The Mayor, Sheriffs, Burgesses and Commonalty of the County of the Town of Drogheda.
DUBLIN - - -	16	16	48	-- The Right Honourable the Lord Mayor, Sheriffs, Commons and Citizens of the City of Dublin.
GALWAY - - -	3	6	18	-- The Mayor, Sheriffs, Free Burgesses and Commonalty of the Town and County of the Town of Galway.
KILKENNY - - -	3	6	18	{ The Mayor and Citizens of the City of Kilkenny. -- The Portreeve, Burgesses and Commons of the Borough or Town of Irishtown.
LIMERICK - - -	5	10	30	-- The Mayor, Sheriffs and Citizens of the City of Limerick.
LONDONDERRY - - -	3	6	18	The Mayor, Commonalty and Citizens of Londonderry.
SLIGO - - -	3	6	18	-- The Provost, Free Burgesses and Commonalty of the Borough of Sligo.
WATERFORD - - -	5	10	30	-- The Mayor, Sheriffs and Citizens of County of the City of Waterford in the Kingdom of Ireland.

SCHEDULE (B.)

BOROUGH.	STYLE OF CORPORATE BODY.
ARDEE - -	The Portreeve, Burgesses and Commons of the Corporation of Atherdee.
ARMAGH - -	-- The Sovereign, Free Burgesses and Commonalty of the Borough of Armagh.
ATHLONE - -	The Sovereign, Bailiffs, Burgesses and Freemen of the Town of Athlone.
ATHY - - -	-- The Sovereign, Bailiffs, Free Burgesses and Commonalty of the Borough of Athy.
BANDON - -	-- The Provost, Free Burgesses and Commonalty of the Borough of Bandon Bridge.
BOYLE - - -	-- The Borough Master, Free Burgesses and Commonalty of the Borough of Boyle.
CALLAN - -	-- The Sovereign, Burgesses and Freemen of Callan.
CARLOW - -	-- The Sovereign, Free Burgesses and Commonalty of the Borough of Catherlagh.
CARRICKFERGUS -	-- The Mayor, Sheriff, Burgesses and Commonalty of the Town of Carrickfergus.
CASHEL - - -	-- The Mayor, Aldermen, Bailiffs, Citizens and Commons of the City of Cashel.
CHARLEVILLE -	The Sovereign, Bailiffs and Burgesses of the Borough of Charleville.
CLOGHNAKILTY -	-- The Sovereign, Free Burgesses and Commonalty of the Borough of Cloghnakilty.
COLERAINE - -	The Mayor, Aldermen and Burgesses of the Town of Coleraine.
DINGLE - - -	-- The Sovereign, Burgesses and Commonalty of the Town of Dingle-i-couch.
DUNDALK - - -	The Bailiff, Burgesses and Commonalty of the Borough of Dundalk.
DUNGANNON - -	-- The Provost, Free Burgesses and Commons of the Borough of Dungannon.
ENNIS - - -	The Provost, Free Burgesses and Commonalty of the Town of Ennis.
ENNISCORTHY -	-- The Portreeve, Free Burgesses and Commonalty of the Borough of Enniscorthy.
ENNISKILLEN -	-- The Portreeve, Free Burgesses and Commonalty of the Borough of Enniskillen.
FETHARD - - -	-- The Sovereign, Chief Burgesses, Portreeve and Freemen of the Town of Fethard.
GOREY - - -	-- The Sovereign, Burgesses and Free Commons of the Borough and Town of Newborough.
KELLS - - -	-- The Sovereign, Provosts, Burgesses and Commonalty of the Borough of Kells.
KINSALE - - -	The Sovereign, Burgesses and Commonalty of the Town of Kinsale.
LONGFORD - -	The Sovereign, Bailiffs and Burgesses of the Borough of Longford.
MARYBOROUGH -	The Burgomaster, Bailiffs, Burgesses and Commonalty of Maryborough.
MONAGHAN - -	-- The Provost, Free Burgesses and Commonalty of the Borough of Monaghan.
NAAS - - -	The Sovereign, Provost, Burgesses and Commonalty of Naas.
NAVAN - - -	-- The Portreeve, Burgesses and Freemen of the Town or Borough of Navan.
NEW ROSS - -	The Sovereign and Burgesses of New Ross.
PORTARLINGTON -	-- The Sovereign, Bailiffs and Burgesses of the Borough and Town of Portarlington.
STRABANE - - -	The Provost, Free Burgesses and Commonalty of the Town of Strabane.
TRALEE - - -	The Provost, Free Burgesses and Commonalty of the Borough of Tralee.
TRIM - - -	The Portreeve, Burgesses and Freemen of Trim.
TUAM - - -	-- The Sovereign, Free Burgesses and Commonalty of the Borough of Tuam.
WEXFORD - - -	-- The Mayor, Bailiffs, Free Burgesses and Commonalty of the Town or Borough of Wexford.
WICKLOW - - -	-- The Portreeve, Free Burgesses and Commonalty of the Town of Wicklow.
YOUGHAL - - -	-- The Mayor, Bailiffs, Burgesses and Commonalty of the Town of Youghal.

SCHEDULE (C.)

1.—BELFAST.

GENERAL BOUNDARY.

BELFAST.

FROM the Point at which the River Blackstaff meets the Watercourse which flows along the Street called Donegal Pass, along the said Watercourse, to the Point at which Donegal Pass crosses the Aqueduct which supplies the Town; thence, Southward, along the Aqueduct to the Point at which the same joins the Stream by which it is fed; thence, Westward, along the said Stream to the Point at which the same meets Blackstaff Lane; thence along the South Side of Blackstaff Lane to the centre of the Brick Building of the Reservoir or Fountain; thence in a straight Line to a circular Building at a Spring Head or Well called Tea Lane Fountain; thence in a straight Line to another circular bricked Fountain or Well in the Grounds near the Flax Mill belonging to Messrs. Murphy and Company; thence in a straight Line to the South-eastern Angle of the Boundary of the Townland of Edenderry; thence, Northward, along the said Townland Boundary to the Point at which the same meets a Stream; thence, Westward, along the said Stream to the Point at which the same meets the Western Wall of Mr. Francis M'Cracken's Rope-walk; thence, Northward, along the Wall of the said Rope-walk to the Point at which the same meets the Shank Hill Road; thence in a straight Line to the Southernmost Point at which the Boundary of the new Burying Ground meets the Antrim Road; thence, Northward, along the Antrim Road to the Point at which the same meets the Road leading from the Antrim Road to the old Road from Belfast to Carrickfergus; thence along the said Road leading to the old Road to Carrickfergus to the Point at which the same meets the old Road from Belfast to Carrickfergus; thence, Northward, along the old Road from Belfast to Carrickfergus to the Point at which the same meets the Mill Water; thence, Eastward, along the Mill Water to the Point at which the same meets the Shore of Belfast Lough; thence, Southward, along the Shore of Belfast Lough to the Point at which the same meets the Northern Boundary of the Townland of Ballymacarrett; thence, Eastward, along the Boundary of the Townland of Ballymacarrett to the Southernmost Point at which the same meets the River Lagan; thence, Southward, along the River Lagan to the Point at which the same meets the River Blackstaff; thence along the River Blackstaff to the Point first described.

To be divided into Five Wards according to the following
Boundaries; and in every of such Wards there shall be Two
Aldermen and Six Councillors.

No. 1.—DOCK WARD.

FROM the South-eastern Angle of Donegal Quay, Westward, along Donegal Quay, to the Point at which the same meets Waring Street; thence along Waring Street to the Point at which the same meets Mary Street; thence, Northward, along Mary Street to the Point at which the same meets Gordon Street; thence, Eastward, along Gordon Street to the Point at which the same meets James Street; thence along James Street to the Point at which the same meets Great Patrick Street; thence, Westward, along Great Patrick Street to the Point at which the same meets Frederick Street; thence along Frederick Street to the Point at which the same meets North Queen Street; thence, Northward, along North Queen Street to the Point at which the same meets the Boundary of the Borough; thence, Northward, along the Boundary of the Borough to the Point first described.

No. 2.—ST. ANN'S WARD.

FROM the Point at which Waring Street meets Mary Street, Northward, along Mary Street, to the Point at which the same meets Gordon Street; thence, Eastward, along Gordon Street, to the Point at which the same meets James Street; thence along James Street to the
Point

Point at which the same meets Great Patrick Street; thence, Westward, along Great Patrick Street to the Point at which the same meets Frederick Street; thence along Frederick Street to the Point at which the same meets North Queen Street; thence, Northward, along North Queen Street to the Point at which the same meets the Boundary of the Borough; thence, Westward, along the Boundary of the Borough to the Point at which the same meets the Old Lodge Road; thence, Eastward, along the Old Lodge Road to the Point at which the same meets North Street; thence, Eastward, along North Street to the Point at which the same meets Waring Street; thence along Waring Street to the Point first described.

No. 3.—SMITHFIELD WARD.

From the Point at which North Street meets Rosemary Street, along Rosemary Street, to the Point at which the same meets Hercules Place; thence, Southward, along Hercules Place, passing in Front of the Northern Bank, to the Northern End of Donegal Place; thence along Donegal Place to the Point at which the same meets Donegal Square North; thence, Westward, along Donegal Square North to the Point at which the same meets Wellington Place; thence along Wellington Place to the Point at which the same meets College Square East; thence, Northward, along College Square East to the Point at which the same meets College Square North; thence, Westward, along College Square North to the Point at which the same meets Durham Street; thence, Northward, along Durham Street to the Point at which the same meets Pound Street; thence along Pound Street to the Point at which the same meets the Boundary of the Borough; thence, Northward, along the Boundary of the Borough to the Point at which the same meets the Old Lodge Road; thence, Eastward, along the Old Lodge Road to the Point at which the same meets North Street; thence, Eastward, along North Street to the Point first described.

No. 4.—ST. GEORGE'S WARD.

From the South-eastern Angle of Donegal Quay, Westward, along Donegal Quay, to the Point at which the same meets Waring Street; thence along Waring Street to the Point at which the same meets Rosemary Street; thence along Rosemary Street to the Point at which the same meets Hercules Place; thence, Southward, along Hercules Place, and passing in Front of the Northern Bank, to the Northern End of Donegal Place; thence along Donegal Place to the Point at which the same meets Donegal Square North; thence, Eastward, along Donegal Square North to the Point at which the same meets Chichester Street; thence along Chichester Street to the Point at which the same meets the River Lagan; thence, Southward, along the River Lagan to the new Bridge over the River Lagan; thence, Eastward, along the new Road from Belfast to Bangor to the Point at which the same meets the old Road from Belfast to Bangor; thence, Eastward, along the Bangor Road to the Point at which the same crosses the Boundary of the Borough; thence, Northward, along the Boundary of the Borough to the Point first described.

No. 5.—CROMAC WARD.

From the Point at which the Boundary of the Borough crosses Pound Street, Southward, along Pound Street, to the Point at which the same meets Durham Street; thence along Durham Street to the Point at which the same meets College Square North; thence along College Square North to the Point at which the same meets College Square East; thence along College Square East to the Point at which the same meets Wellington Place; thence along Wellington Place to the Point at which the same meets Donegal Square North; thence along Donegal Square North to the Point at which the same meets Chichester Street; thence along Chichester Street to the Point at which the same meets the River Lagan; thence, Southward, along the River Lagan to the new Bridge over the River Lagan; thence, Eastward, along the new Road from Belfast to Bangor to the Point at which the same meets the old Road from Belfast to Bangor; thence, Eastward, along the Bangor Road to the Point at which the same crosses the Boundary of the Borough; thence, Southward, along the Boundary of the Borough to the Point first described.

BELFAST—
(continued.)

2.—CLONMEL.

GENERAL BOUNDARY,

Being the PARLIAMENTARY BOUNDARY.

FROM the Point at which the Western Inclosure Wall of the House of Industry meets the River Suir, along the said Western Wall to the Point at which the same meets Marl Street; thence along St. Stephen's Lane to the Point at which the same meets the old Cahir Road; thence, Eastward, along the old Cahir Road to the Point at which the same is met by a Lane running Northward; thence, Northward, along the said Lane to the Point at which the same is met by the first Bank on the Right; thence, Eastward, along the said Bank to the Point at which the same is met by a Lane coming from the North and turning to the East; thence, Eastward, along the last-mentioned Lane to the Point at which the same meets Heywood Street; thence along a Bank which runs Eastward from a House a little to the South of the Point last described to the Point at which the said Bank meets a small Bye Lane leading to the Cashel Road; thence, Southward, along the said Cashel Road to the Point at which the same is met by the Southern Boundary Wall of the Park or Pleasure Grounds of Mr. David Malcolmson; thence along the said Boundary Wall to the Point where the said Wall meets Upper Johnson Street; thence, Eastward, along Backbone Lane to the Extremity thereof; thence to a Point in the new Road to Fethard, which Point is Sixty-four Yards to the North of the Spot at which the said Road is crossed by Bonlie Lane; thence, Southward, for Sixty-four Yards to the said Spot where the Fethard Road is crossed by Bonlie Lane; thence, Eastward, along Bonlie Lane for about Six hundred and Forty-four Yards to a Point at which the same is met by a Bank on the right opposite a small House; thence, Southward, along the said Bank for the distance of about Two hundred and nine Yards to the Point where it is met by another Bank running Eastward; thence, Eastward, along the last-mentioned Bank for about Fifty Yards to a Point where the same makes an Angle in turning to the South; thence, Southward, for about Fifty Yards along a Bank which leads to a Bye Road to Powerstown until the said Bank reaches the said Bye Road; thence, Eastward, along the said Bye Road for the Distance of about Two hundred and seventeen Yards to the Spot where it is met by the first Bank on the right; thence in a straight Line to the most Northern Point of a Bank on the Southern Side of the Dublin Road, which Point is distant about Four hundred and Sixty-four Yards from a Stone in Barrack Street which marks the South-eastern Corner of the Ordnance Land; thence along the last-mentioned Bank to the Point at which the same meets the River Suir; thence along the Southernmost Channel of the River Suir as far as Moore's Island; thence along the Channel of the same to the North of Moore's Island to the Point first described.

CLONMEL.

To be divided into Three Wards, according to the following Boundaries; and in every such Ward there shall be Two Aldermen and Six Councillors.

No. 1.—EAST WARD.

East Ward to be bounded on the North and East by that portion of the North and East exterior Boundary which extends from the Fethard Road to the Waterford Road; on the West by Upper Johnson Street and Johnson Street; and on the South by a Line going Eastward from the South End of Johnson Street, through Main Street, Barrack Street, and the Waterford Road, till it meets the exterior Boundary.

No. 2.—WEST WARD.

West Ward to be bounded on the North and West by that Portion of the North and West exterior Boundary lying between the Fethard Road and Marl Street; on the East by a Line running along Upper Johnson Street and Johnson Street; and on the South by a Line going West from the South End of Johnson Street, along Main Street, Irish Town and Marl Street, till it meets the exterior Boundary at the House of Industry.

No. 3.—

No. 3.—SOUTH WARD.

CLONMEL—
(continued.)

South Ward to be bounded on the South by the South exterior Boundary in its whole Length along the River Suir; on the East by that Portion of the Eastern exterior Boundary lying between the River Suir and the Waterford Road; on the West by that Portion of the Western exterior Boundary lying between the River Suir and Marl Street; and on the North by a Line going Eastward, along Marl Street, Irish Town, Main Street, Barrack Street, and the Waterford Road, till it meets the East exterior Boundary.

3.—CORK.

GENERAL BOUNDARY.

CORK.

FROM the Point where Silver Stream Lane meets the Dublin Road, Northward, along the said Lane to the Upper Glanmire Road; thence in a straight Line and North Direction to the Spring and Stream that flows into the Glen River; thence follow the Stream to the River; thence, West, along the River Glen to the Eastern Wall of Callaghan's Distillery; thence, Northward, along the said Wall to Spring Lane; thence, East, along Spring Lane to Ballyvo Road; thence in a straight Line and Westerly Direction to the Junction of the Mallow and old Dublin Roads; thence in a straight Line and Westerly Direction to the Junction of Fairfield Lane and Brocklesbury Street; thence in a straight Line and Southerly Direction to the West End of Water Lane; thence to a Point in Fair Lane, Five hundred Yards to the North of the Junction of the said Lane with Corbett's Lane; thence to a Point on the Granagher Road Four hundred Yards from its Junction with Blarney Road; thence in a straight Line to a Junction of the Lane (near Skilla Lane) leading to the City Gaol with the Blarney Road; thence along the Lane leading to the City Gaol to the South-west Corner of the surrounding Wall of the said Gaol; thence in a straight Line to a Point on the Sunday Well Road Three hundred Yards to the East of Wellington Bridge; thence in a straight Line to a Point on the Mardyke Walk Seven hundred Yards to the East of the Lane leading from Wellington Bridge to the said Mardyke Walk; thence in a straight Line to the Road leading to the County Gaol; thence along the said Road to the North-east Corner of the surrounding Wall of the said County Gaol; thence along the said North-east Wall to the Northern Macroom and Bandon Road; thence in a straight Line to a Point on the Bandon Road One hundred and twenty Yards West of the Junction of the said Road with the Southern Macroom and Bandon Road; thence in a straight Line to a Point on the Kinsale Road Three hundred and seventy Yards from the Junction of Lough Lane with the Bandon Road, and measured along the Middle of Lough Lane and the Kinsale Road; thence in a straight Line to the Junction of Poula Duff Road with Gallows Green; thence in a straight Line and South-east Direction to the Point where the New Burying Ground Lane meets Friars Walk; thence along the New Burying Ground Lane to the Curragh Road; thence in a North-east Direction along the Curragh Road to Evergreen Road; thence in a straight Line and North-east Direction to a Point on the Passage Road where a Lane leads from the said Road to the Junction of the Black Rock Road with Boreen Managh Lane; thence along the said Lane to the Point of Junction of the said Black Rock Road and Boreen Managh Lane; thence, East, along the said Black Rock Road to Lucy Ville Lane; thence in a straight Line to the nearest Point of the surrounding Wall of the City Gas Works; thence along the Eastern Wall of the said Gas Works to the nearest Point of the River; thence, Eastward, along the High-water Mark to the Point nearest the Old Castle; thence across the River to the first-named Point.

To be divided into Eight Wards, according to the following Boundaries; in every of which Wards there shall be Two Aldermen and Six Councillors.

No. 1.—

No. 1.—LEE WARD.

FROM the Point where Fair Lane meets the Borough Boundary proceed, Southward, along Fair Lane, Baily's Lane, Rogerson Lane, Bishop's Lane, Manning's Lane to Dominick Street; Eastward, along Dominick Street to Widderly Lane, along Widderly Lane to the River Lee; Westward, along the River Lee to the Borough Boundary; Northward, along the Borough Boundary to the Point first described.

No. 2.—ST. PATRICK'S WARD.

FROM the point where Fair Lane meets the Borough Boundary proceed, Southward, along Fair Lane, Baily's Lane, Rogerson Lane, Bishop's Lane, Manning's Lane, to Dominick Street; Eastward, along Dominick Street to Widderly Lane, along Widderly Lane to the River Lee, thence along the River Lee to St. Patrick's Bridge; Northward, up Bridge Street, St. Patrick's Hill, Audley Place; Eastward, along the old Road to Youghal to the Point at which it is intersected by the new Road to Ballyhooly; thence along the new Road to Ballyhooly to the Boundary of the Borough; Westward, along the Boundary of the Borough to the first-named Point.

No. 3.—GLANMIRE WARD.

FROM St. Patrick's Bridge, North, up Bridge Street, St. Patrick's Hill, Audley Place; East, along the old Road to Youghal to the Point at which it is intersected by the new Road to Ballyhooly, thence along the new Road to Ballyhooly to the Borough Boundary; East, along the Borough Boundary to the River Lee; thence, West, along the River Lee to the Point first described.

No. 4.—CORN MARKET WARD.

FROM Parliament Bridge, East, along the South Channel of the River Lee to the Borough Boundary; thence, South, along the Borough Boundary to Friar's Walk; North, along Friar's Walk to Cat Lane; West, along Cat Lane, Bluecoat Street, Abbey Street, Travers Street, Drunam Street; East, along Sullivan's Quay to the Point first described.

CORK—
continued.

No. 5.—ST. FIN BARR'S WARD.

FROM the Point where Friar's Walk meets the Borough Boundary, North, along Friar's Walk to Cat Lane; West, along Cat Lane to Bluecoat Street, along Bluecoat Street, across Abbey Street, along Travers Street, Drunam Street, Sullivan's Quay, to Parliament Bridge; West, along the Southern Branch of the River Lee to South Bridge; Northward, up South Main Street to Great George Street; East, along Great George Street to Wandesford Street, along Wandesford Street to Clarke's Bridge; West, along the South Branch of the River Lee to the Borough Boundary; South, along the Borough Boundary to the Point first described.

No. 6.—MANSION HOUSE WARD.

FROM North Bridge proceed, South, along North Main Street to Great George Street, to Wandesford Street, along Wandesford Street to Clarke's Bridge; thence, West, along the South Branch of the River Lee to the Borough Boundary; North, along the Borough Boundary to the North Branch of the River Lee; East, along the North Branch of the River Lee to the Point first described.

No. 7.—EXCHANGE WARD.

FROM North Bridge proceed, South, along North Main Street, along South Main Street, to South Bridge; East, along the South Channel of the River Lee to the Point opposite Queen Street, thence to Queen Street, along Queen Street to South Mall; West, along South Mall to Marlboro' Street, along Marlboro' Street, across St. Patrick's Street, to Academy Street, along Academy Street, Halfmoon Street, to the North Channel; West, along the North Channel to the Point first described.

No. 8.—

No. 8.—CUSTOM HOUSE WARD.

CORK—

continued.

FROM the Point on the South Channel of the River Lee opposite Queen Street, proceed direct to Queen Street; North, along Queen Street to South Mall; West, along South Mall to Marlboro' Street, along Marlboro' Street, across St. Patrick's Street, to Academy Street, along Academy Street, Halfmoon Street, to the North Channel; East, along the North Channel and round the Island; and West, along the South Channel to the Point first described.

4.—DROGHEDA.

GENERAL BOUNDARY.

FROM the Point called Liberty Bridge near Greenhills on the Left Bank of the River Boyne, East of the Town, where a small Stream enters the River in an Easterly direction, up Cord Lane to the South-east Corner of the Burial Ground; thence, Northerly, along the East Boundary Wall of the Burial Ground up the Lane to Scarlet Lane; thence to the North-west Corner of the Gaol Wall; thence in a straight Line to the North-east Corner of Harman's Garden Wall; thence, Southerly, round the Garden Wall to the South-west Corner; thence in a straight Line to the Cross Roads at the Top of Windmill Lane; thence to the North Road to the Point where the Parliamentary Boundary crosses it; thence in a straight Line, keeping the Parliamentary Boundary, to the South-west Corner of Laburnum Nursery, being about Three hundred Yards; thence in a straight Line to the Junction of Mell Lane and Collon Road; thence in a straight Line to Low-water Mark, left Bank of the River; thence, diagonally across the River, down Stream to a Sluice where a small Stream enters the River and the Parliamentary Boundary crosses; thence to the South End of Mr. Ball's House, Ball's Grove; thence to the Junction of a Lane coming from the South with the Road to Navan and the Black Lion near a Stone Quarry, and about Two hundred and fifty Yards South of the River; thence in a straight Line to Levan's Bridge; thence, keeping the Course of the Brook, Westerly, to Cooley Bridge; thence in a straight Line to the South-east Angle of the Boundary Wall of St. Mary's Churchyard, being Part of the old Town Walls; thence in a straight Line to the Dublin Road at the Point of Junction with a Lane running North from Cromwell's Mount; thence in a straight Line to the East End of Mr. Weir's new House on the Road to Morningtown; and thence across the River to the Point first described.

DROGHEDA.

To be divided into Three Wards, according to the following Boundaries; in every of which Wards there shall be Two Aldermen and Six Councillors.

No. 1.—WEST GATE WARD.

COMMENCING at the Borough Boundary on the North Road, and thence in a South-easterly Direction down the Centre of the North Road to its Intersection with Fair Street; thence, Easterly, down Fair Street to its Intersection with Scholes Lane; thence, Southerly, down Scholes Lane to its Intersection with West Street; thence, Easterly, down West Street to its Intersection with Shop Street; thence, Southerly, down Shop Street, over the Bridge, up the Bull Ring, to its Intersection with Barrack Lane; thence, South-westerly, up Barrack Lane, past the Barracks, to its Intersection with Duleek Street; thence up Duleek Street to the Borough Boundary at Cooley Bridge; thence, Westerly, round the Borough Boundary, across the River, keeping the Boundary, to the Point first named. The whole of the Area within this Line to form West Gate Ward.

No. 2.—FAIR GATE WARD.

COMMENCING at the Borough Boundary on the North Road as before, and coming in a South-easterly Direction down the Centre of the North Road to its Intersection with Fair Street; thence, Easterly, down

down Fair Street to its Intersection with Scholes Lane; thence, Southerly, down Scholes Lane to its Intersection with West Street; thence, Easterly, down West Street to its Intersection with Peter Street; thence, Northerly, up Peter Street to where it meets the Ends of William Street and Fair Street; thence, Easterly, down William Street to its Intersection with Palace Street; thence, Northerly, up Palace Street to its Intersection with Scarlet Lane; thence, Easterly, down Scarlet Lane to the Borough Boundary; thence, Westerly, round the Borough Boundary to the Point first named on the North Road. The whole of the Area within this Line to form Fair Gate Ward.

DROGHEDA—
continued.

No. 3.—ST. LAWRENCE GATE WARD.

COMMENCING at the West End of St. Lawrence Street, where that Street, Peter Street, West Street, and Shop Street all meet; thence, Northerly, up Peter Street till it meets the Ends of Fair Street and William Street; thence, Easterly, down William Street to its Intersection with Palace Street; thence, Northerly, up Palace Street to its Intersection with Scarlet Lane; thence, Easterly, down Scarlet Lane to the Borough Boundary; thence, Southerly, along the Borough Boundary, crossing the River, and continuing the Boundary, to Cooley Bridge; thence, Northerly, down Duleek Street, keeping the Eastern Boundary of West Gate Ward, to the Intersection of Shop Street, Lawrence Street and Peter Street, being the Point first named. The whole of the Area within this Line to form St. Lawrence Gate Ward.

5.—DUBLIN.

GENERAL BOUNDARY.

DUBLIN.

FROM the Point of Intersection of Park Gate Street with a Road running Northerly along the Phoenix Park Wall, along the said Phoenix Park Wall until it meets the Circular Road, and Easterly, along the Circular Road to the West End of the Roman Catholic Chapel of Saint Peter; thence, Northerly, in a straight Line to the West End of Mr. Hay's Mill about Three hundred and Sixty Yards to the Westward of Westmoreland Bridge across the Royal Canal; thence in a direct Line across the Royal Canal to its Northern Bank; thence, South-east, along the Northern Bank of the Royal Canal to Jones's Bridge; thence, Northward, along the Road forming the Continuation of Russell Street and Jones's Bridge to its Junction with the Clonliffe Road; thence, South-eastward, along said Clonliffe Road and Ballybough Bridge to the Centre of said Ballybough Bridge; thence, Easterly, along the Centre of the River Tolka to the Centre of Annesley Bridge; thence, South-east, in the Direction of a Point distant perpendicularly Northward Three hundred Yards from the South-east Corner of the Wall extending from Annesley Bridge to the East Wall, to the Point where such Line is intersected by the Prolongation of a Line drawn between Two Points, the one distant Three hundred Yards perpendicularly Eastward from the North-east Corner of the East Wall, the other distant perpendicularly Three hundred Yards Eastward from the South-east Corner of Mr. Halpin's Patent Slip in the Ballast Office Yard; thence, Southward, along the last-mentioned Line and in Continuation thereof until such Line reaches the Mid Channel of the River Liffey; thence, Westward, along the Mid Channel of the River Liffey until the Line thus drawn is intersected by a Line drawn from the Centre of Ringsend Bridge to a Point on the North Wall Two hundred and Forty Yards (measured along the said Wall) from its Eastern Termination; thence, Southerly, along the last-mentioned Line to the Centre of Ringsend Bridge; thence, Westward, along the Road to Dublin (being a Continuation of Great Brunswick Street) until it intersects Barrow Street; thence, Southward, along Barrow Street to its Point of Intersection with Grand Canal Street; thence, Westward, along Grand Canal Street to Macquay Bridge; thence, in a Westerly direction, along the Southern Bank of the Grand Canal to its Point of Intersection with the Branch leading to the City Basin near Griffith Bridge; thence, Northward, in a straight.

straight Line to the Turnpike Gate, No. 3, at the South-west Angle of the Circular Road; thence, Northward, along the said Road, through Island Bridge, and over Tarah Bridge across the Liffey, to its Point of Intersection with Conyngham Road; thence, Eastward, along Conyngham Road and Park Gate Street to the Point first described.

To be divided into Sixteen Wards, according to the following Boundaries; and in every of such Wards there shall be One Alderman and Three Councillors.

No. 1.—COLLEGE WARD.

From the Centre of Carlisle Bridge, Southward, along Carlisle Bridge, Westmoreland Street, the East Side of College Green and Grafton Street, to the Point of Intersection of said Grafton Street with Nassau Street; thence, South-east, along Nassau Street and Leinster Street to the Point of Intersection of said Leinster Street with Park Street; thence, Eastward, along Park Street and Harcourt Place, to the Point of Intersection of said Harcourt Place with Cumberland Street; thence, Northward, along Cumberland Street to its Point of Intersection with Great Brunswick Street; thence, East, along Great Brunswick Street, the Dublin Road and Ringsend Bridge, to the Borough Boundary; thence, Northward, along the Borough Boundary to the Middle Channel of the River Liffey; thence, West, through the Middle Channel of the River Liffey to the Point first described.

No. 2.—MERRION WARD.

From the Point of Intersection of Nassau Street with Dawson Street South, along Dawson Street to the Point of Intersection of said Dawson Street with Saint Stephen's Green North; thence, South-east, along Saint Stephen's Green North and Merrion Row to the Point of Intersection of said Merrion Row with Upper Merrion Street; thence, Northward, along Upper Merrion Street to its Point of Intersection with Merrion Square South; thence, South-east, along Merrion Square South, Upper Mount Street and Huband Bridge, to the East End of said Huband Bridge; thence, North-east, along the Eastern Bank of the Grand Canal to Macquay Bridge; thence, South-east, along Grand Canal Street to its Point of Intersection with Barrow Street; thence, Northward, along Barrow Street to its Point of Intersection with Great Brunswick Street; thence, Westward, along Great Brunswick Street to its Point of Intersection with Cumberland Street; thence, Southward, along Cumberland Street to its Point of Intersection with Harcourt Place; thence, Westward, along Harcourt Place and Park Street to the Point of Intersection of said Park Street with Leicester Street; thence, North-west, along Leicester Street and Nassau Street to the Point first described.

No. 3.—ST. STEPHEN'S WARD.

From the Point of Intersection of Mercer Street with King Street South, Southward, along Mercer Street and French Street to the Point of Intersection of said French Street with Cuff Street; thence, Eastward, along Cuff Street to its Point of Intersection with Harcourt Street; thence, Southward, along Harcourt Street to its Point of Intersection with the Circular Road; thence, South-east, along the Circular Road and Eustace Bridge to the South End of said Eustace Bridge; thence, North-east, along the Southern Bank of the Grand Canal to the East End of Huband Bridge; thence, North-west, along Huband Bridge, Upper Mount Street, and Merrion Square South, to the Point of Intersection of said Merrion Square South with Upper Merrion Street; thence, South-west, along Upper Merrion Street to its Point of Intersection with Merrion Row; thence, North-west, along Merrion Row, Stephen's Green North, and King Street South, to the Point first described.

No. 4.—ST. ANDREW'S WARD.

From the Centre of Carlisle Bridge, Southward, along Carlisle Bridge, Westmoreland Street, the East Side of College Green, and Grafton Street; to the Point of Intersection of said Grafton Street with Nassau Street,

DUBLIN—
continued.

Street, thence, Eastward, along Nassau Street to its Point of Intersection with Dawson Street; thence, Southward, along Dawson Street to its point of Intersection with Stephen's Green North; thence, North-west, along Stephen's Green North and King Street South to the Point of Intersection of said King Street South with Johnston's Place; thence, North-west, along Johnston's Place and Lower Stephen Street to the Point of Intersection of said Lower Stephen Street with Drury Lane; thence, Northward, along Drury Lane to its Point of Intersection with Fade Street; thence, Westward, along Fade Street to its Point of Intersection with Great George's Street South; thence, Northward, along Great George's Street South to its Point of Intersection with Dame Street; thence, Westward, along Dame Street to its Point of Intersection with Parliament Street; thence, Northward, along Parliament Street and Essex Bridge to the Centre of Essex Bridge; thence, Eastward, through the Middle Channel of the River Liffey to the Point first described.

No. 5.—CASTLE WARD.

FROM a Point in the Centre of the River Liffey One hundred and Sixty Yards Westward from Essex Bridge, Southward, to the Point of Intersection of Fishamble Street with Essex Quay; thence, Southward, along Fishamble Street, Werburgh Street, and Bride Street, to the Point of Intersection of said Bride Street with Bishop Street; thence, Eastward, along Bishop Street to its Point of Intersection with Redmond Hill; thence, Southward, along Redmond Hill to its Point of Intersection with Cuff Street; thence, Eastward, along Cuff Street to its Point of Intersection with French Street; thence, Northward, along French Street and Mercer Street to the Point of Intersection of said Mercer Street with King Street South; thence, North-west, along Johnston's Place and Lower Stephen Street to its Point of Intersection with Drury Lane; thence, Northward, along Drury Lane to its Point of Intersection with Fade Street; thence, Westward, along Fade Street to its Point of Intersection with Great George's Street South; thence, North, along Great George's Street South to its Point of Intersection with Dame Street; thence, Westward, along Dame Street to its Point of Intersection with Parliament Street; thence, Northward, along Parliament Street and Essex Bridge to the Centre of Essex Bridge; thence, Westward, through the Middle Channel of the River Liffey to the Point first described.

DUBLIN—
continued.

No. 6.—ST. PATRICK'S WARD.

FROM a Point in the Centre of the River Liffey One hundred and Sixty Yards Westward from Essex Bridge, South, to the Point of Intersection of Fishamble Street with Essex Quay; thence, Southward, along Fishamble Street, Werburgh Street, and Bride Street, to the Point of Intersection of said Bride Street with Bishop Street; thence, Eastward, along Bishop Street to its Point of Intersection with Redmond Hill; thence Southward, along Redmond Hill to its Point of Intersection with Cuff Street; thence, Eastward, along Cuff Street to its Point of Intersection with Harcourt Street; thence, Southward, along Harcourt Street to its Point of Intersection with the Circular Road; thence, South-east, along the Circular Road and Eustace Bridge to the South End of said Eustace Bridge; thence, Westward, along the Southern Bank of the Grand Canal to Clanbrassil Bridge; thence, Northward, along Clanbrassil Bridge, Clanbrassil Street, New Street, Patrick Street, and Nicholas Street, to the Point of Intersection of said Nicholas Street with Back Lane; thence, North-west, along Back Lane to its Point of Intersection with High Street; thence, Eastward, along High Street to its Point of Intersection with School-house Lane; thence, Northward, along School-house Lane and Skipper's Alley to the Point of Intersection of said Skipper's Alley with Merchant's Quay; thence, Northward, in a straight Line to a Point in the Centre of the River Liffey Ninety Yards West of Richmond Bridge; thence, Eastward, through the Middle Channel of the River Liffey to the Point first described.

No. 7.—

No. 7.—ST. AUDEON'S WARD.

FROM a Point in the Centre of the River Liffey One hundred and Fifty-five Yards Westward from Whitworth Bridge, Southward to the Point of Intersection of Meeting-house Yard with Usher's Quay; thence, Southward, along Meeting-house Yard and New Row to the Point of Intersection of said New Row with Thomas Street; thence, Westward, along Thomas Street to its Point of Intersection with Meath Row; thence, Southward, along Meath Row, Meath Street, Brabazon Street, and Brabazon Row, to the Point of Intersection of said Brabazon Row with New Market; thence, Westward, along New Market and Chamber Street to the Point of Intersection of said Chamber Street with Weaver's Square; thence, Southward, along Weaver's Square to its Point of Intersection with Brown Street; thence, Westward, along Brown Street to its Point of Intersection with Love Lane; thence, Southward, along Love Lane and Parnell Bridge to the South End of said Parnell Bridge; thence, Eastward, along the Southern Bank of the Grand Canal to Clanbrassil Bridge; thence, Northward, along Clanbrassil Bridge, Clanbrassil Street, New Street, Patrick Street, and Nicholas Street, to the Point of Intersection of said Nicholas Street with Back Lane; thence, North-west, along Back Lane to its Point of Intersection with High Street; thence, Eastward, along High Street to its Point of Intersection with School-house Lane; thence, Northward, along School-house Lane and Skipper's Alley to the Point of Intersection of said Skipper's Alley with Merchant's Quay; thence, Northward, in a straight Line to a Point in the Centre of the River Liffey Ninety Yards Westward from Richmond Bridge; thence, Westward, through the Middle Channel of the River Liffey to the Point first described.

No. 8.—ST. CATHERINE'S WARD.

FROM the Point in the Centre of the River Liffey One hundred and Fifty-five Yards Westward from Whitworth Bridge, Southward, to the Point of Intersection of Meeting-house Yard with Usher's Quay; thence, Southward, along Meeting-house Yard and New Row to the Point of Intersection of said New Row with Thomas Street; thence, Westward, along Thomas Street to its Point of Intersection with Meath Row; thence, Southward, along Meath Row, Meath Street, Brabazon Street, and Brabazon Row, to the Point of Intersection of said Brabazon Row with New Market; thence, Westward, along New Market and Chamber Street to the Point of Intersection of said Chamber Street with Weaver's Square; thence, Southward, along Weaver's Square, to its Point of Intersection with Brown Street; thence, Westward, along Brown Street to its Point of Intersection with Love Lane; thence, Southward, along Love Lane and Parnell Bridge to the South End of Parnell Bridge; thence, North-west, along the Southern Bank of the Grand Canal to its Point of Intersection with the Branch leading to the City Basin near Griffith Bridge; thence, East, along the Middle Channel of said Branch of the Grand Canal to a Point opposite Forbes Lane; thence, Eastward, along Forbes Lane to its Point of Intersection with Marrowbone Lane; thence, North-east, along Marrowbone Lane, Thomas Court, Bridgefoot Street, and Queen's Bridge, to the Centre of Queen's Bridge; thence, Eastward, through the Middle Channel of the River Liffey to the Point first described.

No. 9.—ST. JAMES'S WARD.

FROM the Centre of Sarah Bridge, Southward, along Sarah Bridge, through Island Bridge, and along the Circular Road, to the Turnpike Gate, No. 3, on the South-west Corner of the Circular Road; thence, Southward, in a straight Line to the Point of Intersection of the Grand Canal with the Branch leading to the City Basin near Griffith Bridge; thence, East, along the Middle Channel of said Branch of the Grand Canal to a Point opposite Forbes Lane; thence, East, along Forbes Lane to its Point of Intersection with Marrowbone Lane; thence, North-east, along Marrowbone Lane to its Point of Intersection with Thomas Court; thence, Northward, along Thomas Court, Bridgefoot Street, and Queen's Bridge, to the Centre of Queen's Bridge; thence, Westward, through the Centre of the River Liffey to the Point first described.

No. 10.—

DUBLIN—
continued.

No. 10.—CUSTOM HOUSE WARD.

FROM a Point in the Centre of the River Liffey Three hundred and Ten Yards Eastward from Carlisle Bridge, Northward, to the Point of Intersection of Eden Quay with Beresford Place; thence, Northward, along Beresford Place and Lower Gardiner Street to its Point of Intersection with Summer Hill; thence, Eastward, along Summer Hill, Summer Hill Parade, Clarke Bridge, Edward Terrace, Foster Street, Spring Garden Parade, and Ballybough Bridge, to the Borough Boundary; thence, Southward, along the Borough Boundary to the Centre of the River Liffey; thence, Westward, through the Middle Channel of the River to the Point first described.

No. 11.—ST. GEORGE'S WARD.

FROM the Point of Intersection of Binn's Bridge with the Borough Boundary, South-east, along the Borough Boundary to Ballybough Bridge; thence, South-east, along Spring Garden Parade, Foster Street, Edward Terrace, Clarke Bridge, Summer Hill Parade, Summer Hill, and Great Britain Street, to the Point of Intersection of said Great Britain Street with Granby Row; thence, North-west, along Granby Row, Rutland Square West, and Granby Row, to the Point of Intersection of said Granby Row with Lower Dorset Street; thence, North-east, along Lower Dorset Street, Upper Dorset Street, and Binn's Bridge, to the Point first described.

No. 12.—POST OFFICE WARD.

FROM a Point in the Centre of the River Liffey Three hundred and Ten Yards Eastward from Carlisle Bridge, North, to the Point of Intersection of Eden Quay with Beresford Place; thence, Northward, along Beresford Place and Lower Gardiner Street to the Point of Intersection of said Lower Gardiner Street with Talbot Street; thence, West, along Talbot Street, Earl Street, Henry Street, and Mary Street, to the Point of Intersection of said Mary Street with Capel Street; thence, South, along Capel Street and Essex Bridge to the Centre of said Essex Bridge; thence, Eastward, through the Middle Channel of the River Liffey to the Point first described.

No. 13.—ST. THOMAS'S WARD.

FROM the Point of Intersection of Lower Gardiner Street with Talbot Street, West, along Talbot Street, Earl Street, Henry Street, and Mary Street, to the Point of Intersection of said Mary Street with Jervis Street; thence, North, along Jervis Street to its Point of Intersection with Great Britain Street; thence, East, along Great Britain Street to its Point of Intersection; thence, East, along Great Britain Street to its Point of Intersection with King's Inns Street; thence, Northward, along King's Inns Street to its Point of Intersection with Bolton Street; thence, North-east, along Bolton Street and Lower Dorset to its Point of Intersection with Granby Row; thence, South-east, along Granby Row, Rutland Square West, and Granby Row, to the Point of Intersection of said Granby Row with Great Britain Street; thence, North-east, along Great Britain Street to its Point of Intersection with Lower Gardiner Street; thence, South, along Lower Gardiner Street to the Point first described.

No. 14.—LINEN HALL WARD.

FROM a Point in the Centre of the River Liffey One hundred and Forty-five Yards Westward from Essex Bridge, Northward, to the Point of Intersection of Arran Street East with Upper Ormond Quay; thence, Northward, along Arran Street East, Boot Lane, Petticoat Lane, and Green Street, to the Point of Intersection of said Green Street with King Street North; thence, Westward, along King Street North to its Point of Intersection with Coleraine Street; thence, Northward, along Coleraine Street, Constitution Hill, and Foster Aqueduct, to the North End of Foster Aqueduct; thence, Northward, along the Western Bank of the Branch of the Royal Canal

DUBLIN—
continued.

Canal leading to the Royal Canal Harbour to its Point of Intersection with the Royal Canal about Three hundred and Sixty Yards North of Blaquiere Bridge; thence, Northward, in the same straight Line to the Northern Bank of the Royal Canal; thence, South-east, along the Northern Bank of the Royal Canal to Binn's Bridge; thence, South-west, along Binn's Bridge, Upper Dorset Street, Lower Dorset Street, and Bolton Street, to the Point of Intersection of said Bolton Street with King's Inns Street; thence, South-east, along King's Inns Street to its Point of Intersection with Great Britain Street; thence, Westward, along Great Britain Street to its Point of Intersection with Jervis Street; thence, Southward, along Jervis Street to its Point of Intersection with Mary Street; thence, Westward, along Mary Street to its Point of Intersection with Capel Street; thence, Southward, along Capel Street and Essex Bridge to the Centre of said Essex Bridge; thence, Westward, through the Middle Channel of the River Liffey to the Point first described.

No. 15.—FOUR COURTS WARD.

FROM a Point in the Centre of the River Liffey One hundred and Forty five Yards Westward from Essex Bridge, Northward, to the Point of Intersection of Arran Street East with Upper Ormond Quay; thence Northward, along Arran Street East, Boot Lane, Petticoat Lane and Green Street, to the Point of Intersection of said Green Street, with King Street North; thence, Westward, along King Street North to its Point of Intersection with Coleraine Street; thence, Northward, along Coleraine Street, Constitution Hill and Foster Aqueduct, to the North End of Foster Aqueduct; thence, Northward, along the Western Bank of the Branch of the Royal Canal leading to the Royal Canal Harbour to its Point of Intersection with the Royal Canal about Three hundred and Sixty Yards North of Blaquiere Bridge; thence in the same straight Line to the Northern Bank of the Royal Canal; thence, North-west, along the Borough Boundary to its Intersection with the Bradogue Water on the Circular Road; thence, Southward, along the Bradogue Water to North-west Angle of the Richmond Penitentiary; thence, South, along the West Front of the Richmond Penitentiary to South-west Angle of said Penitentiary; thence, South, along Grange Gorman Lane and George's Lane to the Point of Intersection of said George's Lane with King Street North; thence, Eastward, along King's Street North to its Point of Intersection with Bow Street; thence, Southward, along Bow Street to its Point of Intersection with May Lane; thence, Eastward, along May Lane to its Point of Intersection with Old Church Street; thence, Southward, along Old Church Street and Whitworth Bridge to the Centre of said Whitworth Bridge; thence, Eastward, through the Middle Channel of the River Liffey to the Point first described.

DUBLIN—
continued.

No. 16.—ST. PAUL'S WARD.

FROM the Centre of Sarah Bridge in a Northerly Direction along the Borough Boundary to its Intersection with the Bradogue Water on the Circular Road; thence, Southward, along the Bradogue Water to the North-west Angle of the Richmond Penitentiary; thence, Southward, along the West Front of the Richmond Penitentiary to the South-west Angle of said Penitentiary; thence, Southward, along Grange Gorman Lane and George's Lane to the Point of Intersection of said George's Lane with King Street North; thence, Eastward, along King Street North to its Point of Intersection with Bow Street; thence, Southward, along Bow Street to its Point of Intersection with May Lane; thence, Eastward, along May Lane to its Point of Intersection with Old Church Street; thence, Southward, along Old Church Street and Whitworth Bridge to the Centre of said Whitworth Bridge; thence, Westward, through the Middle Channel of the River Liffey to the Point first described.

6.—GALWAY.

GENERAL BOUNDARY.

FROM the South-eastern Angle of the House called Bellmount (now the Property of William Kelly, Esq.) on the Eastern Side of the Oughterrard Road, Eastward, in a straight Line to the Point on the Southern Shore of Turlough, at which a Lane leaves such Shore and meets the Bohermore Road at about Six hundred and Eighty Yards North-eastward of the Entrance Gate of the County Infirmary; thence along the said Lane to its Point of Junction with the Bohermore Road; thence, Southward, in a straight Line to the South-eastern Angle of the College on the Northern Side of the College Road; thence, Southward, in a straight Line to the Direction of the Edge of the Steep Cliff which forms the Western Shore of Hare Island, to the Point at which such straight Line meets the Northern Shore of Lough Athalia; thence, South-westward, in a straight Line to the Eastern Point of the new Pier called Slate Pier; thence, Westward, along the Shore of Galway Bay to the Point at which it is intersected by a Line from the Lighthouse in Mutton Island to the Tower of the House called "Fort Eyre," (now in the occupation of the Reverend Edward Eyre Maunsell); thence, North-westward, along such Line to a Point One hundred and five Yards North-westward from the Northern Side Wall of the Road to the Village of Boherard; thence, North-eastward, in a straight Line to the Point first described.

To be divided into Three Wards, according to the following Boundaries; and in every of such Wards there shall be Two Aldermen and Six Councillors.

No. 1.—WEST WARD.

GALWAY.

FROM the Point at which Lough Corrib cuts the Municipal Boundary, Southward, down the Centre of the Lough to the New Bridge; thence down the Centre of the River Galway to the West Bridge; thence in a right Line to the Head of the Pier forming the Northern Side of the Fishing Boats Harbour; thence along the Bank of the River of Galway to the Head of the Slate Pier; thence, Westward, along the Municipal Boundary to the Point first described.

No. 2.—NORTH WARD.

FROM the Point at which Lough Corrib cuts the Municipal Boundary, Southward, down the Centre of the Lough to the New Bridge; thence down the Centre of the River of Galway to the West Bridge; thence, Eastward, along the West Bridge, Bridge Street, the Main Guard, Shop Street, William Street, the North Side of Eyre or Meyrick Square, and Bohermore Road, to the Municipal Boundary; thence, Northward, along the Municipal Boundary to the Point first described.

No. 3.—SOUTH WARD.

FROM the Point at which the Bohermore Road cuts the Municipal Boundary, Westward, along the Bohermore Road, the North Side of Eyre or Meyrick Square, William Street, Shop Street, the Main Guard and Bridge Street; thence, South-eastward, along the Bank of the River Galway and the Sea Shore to the Municipal Boundary; thence, Northward, along the Municipal Boundary to the Point first described.

7.—KILKENNY.

GENERAL BOUNDARY.

FROM the Point South-west of the City, where the Brega River crosses the Road to Clonmel, following the Course of the River Northerly, to the Point where the River makes a sudden turn to the Eastward, and where the Mill Stream, from a ruined Factory West of the River, meets the River Brega; thence in a straight Line to the Point on the Bonnets-town Road, where a Bye-road leading to Lousy Bush leaves the Bonnets-town Road; thence in a straight Line to the Point at the South End of Farmhouse on the Western Road to Freshford, belonging to Mr. Purcell, and occupied by Michael M'Donell; thence in a straight Line across the main Road to Freshford, and across the River Nore to the Point where the Road to Ballyragget, along the River, leaves the old Road to Castlecomer, and just North of the Police Station at Mount Brilliant; thence following the old Road to Castlecomer to the Point where it joins the new Road leading from the Barracks at a new House belonging to Mr. Nowlan; thence in a straight Line to the Point at the North-east Corner of the Barrack Enclosure, and following the Back or Eastern Wall of the Barracks to the South-eastern Corner thereof on the Road to John's Well at the Point; thence in a straight Line across the Clara Road and across Williams' Lane to a remarkable Building on a Hill East of the City, belonging to Mr. Purcell, called the Gazebo; thence in a straight Line across the River Nore to the Point at the South-eastern Corner of Mr. Scott's Garden on the Road to Bennett's Bridge; thence, following the Southern Enclosure of the said Garden and of the adjoining Garden of Switzer's Asylum, to the Point where it meets a Lane leading from the Bennett's Bridge Road to the Waterford Road; thence following the said Lane to the Point where it joins the Waterford Road; thence in a straight Line to the Point at the South-western Corner of the Enclosure of the House of Correction; thence following the Western Side of the Enclosure Wall, to the Point where, if produced, it would meet the Road to Kells; thence, Westerly, along the Road to Kells to the Point where a Quarry on the North Side of the Road joins the said Road, and about One hundred Yards from the Point; thence, turning Northerly, along a Stone Wall about Ninety Yards to the Point where the said Stone Wall meets a Lane called Waters's Lane, leading from Upper Patrick Street towards Mr. Robertson's House called "Rose Hill;" thence along the said Lane, Westerly, to the Point where it crosses the River Brega, South of Rose Hill; thence along the Brega to the Point first described.

To be divided into Three Wards, according to the following Boundaries; and in every of such Wards there shall be Two Aldermen and Six Councillors.

No. 1.—EAST WARD.

From the Bridge where the Brega River crosses the Castle Blunden Road, Easterly, down Upper Walkins Street and Lower Walkins Street to its Intersection with High Street; thence, Southerly, along High Street to its Junction with Patrick Street; thence, Easterly, down Rose Inn Street to the Centre of Saint John's Bridge, and along the Centre of the River Nore, Northerly, till it intersects the City Boundary; thence following the said Boundary, Eastward, to the Bridge over the Brega on the Castle Blunden Road.

No. 2.—ST. MARY'S WARD.

From the Centre of Saint John's Bridge, Westerly, up Rose Inn Street to its Point of meeting with Patrick Street and High Street; thence, Northerly, along High Street, Coal Market, Watergate, Bull Alley, Vicar's Street, Bishop's Hill, and along the Freshford Road till it meets the Borough Boundary; thence along the said Boundary, Eastward, to the Centre of the River Nore, and, Southerly, along the River to Saint John's Bridge.

No. 3.—

KILKENNY.

No. 3.—ST. CANICE'S WARD.

KILKENNY—
continued.

FROM the Bridge over the Brega on the Castle Blunden Road, Northward, along the Boundary of the East Ward till it joins the High Street; thence, Northerly, along High Street, Coal Market, Watergate, Bull Alley, Vicar's Street, Bishop's Hill, and along the Freshford Road till it meets the City Boundary; thence, Westerly, along the said Boundary to the Bridge over the Brega on the Castle Blunden Road.

8.—LIMERICK.

GENERAL BOUNDARY.

LIMERICK.

FROM the Point at the North of King's Island where the Salmon Weir River flows, from the Shannon, along the said Salmon Weir River till it reaches the Point where the Canal joins the said River; thence, in a Direction Easterly, along the Canal for about Half a Mile to the Centre of Park Bridge which crosses the Canal; thence in a straight Line to the Centre of the Cupola upon the Top of the Lunatic Asylum; thence, in a straight Line and South-westerly Direction, to the Point in the Roxborough Road where it is met by Wilmont Lane; thence along Wilmont Lane to the West Pier of a Gate belonging to Mr. Maloney on North Side of said Lane and nearly opposite to Wilmot Villa; thence, in a straight Line and North-westerly Direction, across Mr. Maloney's Field and Two other Fields till it reaches the Extremity of a small Lane; thence, continuing along said Lane, past the Limestone Quarry of William Hargan until it reaches Bohirboy Road; thence, Westerly, along Bohirboy till it reaches Hore's Street; thence, North-westerly, along Hore's Street to the South Circular Road; thence, North-easterly, about Twenty-three Yards along the Circular Road to where Court Brack Avenue leads off North-westerly; thence, North-westerly, along Court Brack Avenue till it reaches Harvey's Quay, situated at the End of the said Avenue; thence in a straight Line across the Shannon to Barrington's Quay upon the Clare Side near the old Ruins of Kilrush Church; thence, about Two hundred Yards North-easterly along Barrington's Quay, to the North Circular Road; thence, North-westerly, and following the direction of the Circular Road to where it meets the Shelbourne and Farrenshowen Roads; thence along the Farrenshowen Road to where it crosses the new Ennis Mail Road at nearly Half a Mile from Wellesley Bridge; thence continuing about One hundred Yards up the Farrenshowen Road to where there is a Cottage at a Turn in the Road; thence in a straight Line to the Point where the Killaloe Road meets the old North Ennis Road; thence along the Killaloe Road to the Point where it meets the Black Stick Road; thence in a straight Line to the Point first described.

To be divided into Five Wards, according to the following Boundaries; and in every of such Wards there shall be Two Aldermen and Six Councillors.

No. 1.—THOMOND BRIDGE WARD.

FROM the Point of Barrington Quay, along the Municipal Boundary, to the North Point of the King's Island; thence, Southward and Westward, along Salmon Weir River, till it reaches the Shannon; thence, South-westerly, along the Shannon to the Point first described.

No. 2.—JOHN STREET WARD.

FROM the Commencement of the Canal in the Salmon Weir River to the Centre of the Park Bridge which crosses the Canal; thence, in a straight Line to the Centre of the Cupola of the Lunatic Asylum; thence, in a straight Line to the Point where the Wilmont Road meets the Roxborough Road; thence, Northerly, along the Roxborough Road, Upper William Street, High Street, Mungret Street, to the Centre of Ball's Bridge; thence to the Point first described.

No. 3.—

LIMERICK
continued.

No. 3.—PATRICK STREET WARD.

FROM the Shannon by a straight Line through the Centre of Bedford Row; thence, through Thomas Street; thence through part of Wickham Street into High Street; thence through High Street, Mungret Street, Broad Street, to the Centre of Ball's Bridge; thence along the Stream passing under New Bridge to the Shannon, and along its Course, Southward, to the Line of Bedford's Row produced.

No. 4.—GLENTWORTH STREET WARD.

FROM the Shannon by a straight Line through the Centre of Mallow Street; thence, Westerly, through a part of Bohirboy Street to Carey's Road; thence along Carey's Road to the John Street Ward Boundary in the Roxborough Road; thence along that Boundary to the Patrick Street Ward; thence along the Patrick Street Ward Boundary to the Shannon, and along its Course, Southward, to the Line of Mallow Street produced.

No. 5.—RICHMOND PLACE WARD.

FROM the Shannon, along the Municipal Boundary, to the extreme Southerly Point; thence, Northwards, along the same Boundary to the John Street Ward Boundary; thence along the John Street Ward Boundary to the Glentworth Street Boundary; thence along the Glentworth Street Boundary to the Shannon, and along its Course, Westwards, to the Municipal Boundary.

9.—LONDONDERRY.

GENERAL BOUNDARY.

LONDON-
DERRY.

FROM a stout Masonry Pillar North Side of Gateway at Black Bush Cottage on West Side of the Road to Fahan, Eastward, by a straight Line to the West End of the Brick Wall forming a Part of the North Boundary of the Premises of the Free Grammar School of Foyle Academy; thence, Easterly, along the above-mentioned Brick Wall to its Eastern Termination at the High Road on the Bank of the River Foyle; thence, Eastward, in a straight Line, in continuation of the Line of the Brick Wall last-mentioned, until the same arrives at the Point being its Intersection of the ordinary Low-water Mark on the East Shore of the River Foyle; thence, Southward, along the Line of the ordinary Low-water Mark until such Line is terminated by the Prolongation Westward of the Line of the South Boundary Fence of the Pleasure Grounds of the late William Bond, Esquire; thence, Eastward, along the Line of the above-mentioned Boundary Fence of Pleasure Grounds until it arrives at its Point of Intersection with the East Side of the Road to Newtown Limavady; thence, Southeasterly, in a straight Line to a stout Masonry Pillar West Side of a Gateway on the South Side of the Dungiven Road, about Fifty Yards East of Newtown Limavady Road; thence, Southerly, in a straight Line to a Point on the Clondermot Road where the North Boundary Fence of the Tannery Premises of Mr. William M'Carter terminates; thence, South-westerly, in a straight Line to the Point on the Road to Dunymagh, distant Two hundred and Fifty Feet from its Point of Junction with the old Strabane Road; thence, Westerly, in a straight Line to the Point on the old Strabane Road where a Lane departs Southerly to the Fields; thence, Westerly, along the old Strabane Road to the South-westernmost Gable of the Houses at Gobnascale on the North-west side of said old Strabane Road; thence, Westerly, in a straight Line to a Point in the Townland Boundary between Gobnascale and Tannymore where said Boundary is met by a Lane from the North-east; thence, North-westerly, in continuation and prolongation of last-mentioned Townland Boundary, until it meets and intersects the Line of ordinary Low-water Mark on the East Shore of the River Foyle; thence, South-westerly along the Line of the ordinary Low-water Mark, until it is intersected by a Line

a Line drawn from the North-east Angle of Foyle Hill Park across the River Foyle to the Cottage about One hundred and Sixty Yards East of the Point of Intersection of the Boundary between the Townland of Gobnascale and Tamnymore and the old Strabane Road; thence, North-westerly, along the intersecting Line just mentioned to the North-east Angle of the Boundary Fence of Foyle Hill Park; thence, North-westerly, along the Boundary Fence of Foyle Hill Park to the Point where it meets Long Moor Lane; thence, North-westerly, along the North Boundary Fence of Foyle Hill Park to a Point Two hundred Feet West of Long Moor Lane; thence North-easterly, in a straight line to the North End of the Brick Wall forming the Western Boundary Fence of Walker's Nurseries; thence, North-easterly, along the Western Boundary of the Nursery Grounds to a Point on the Road to Newton Cunningham where it forms a sharp Angle; thence, Northerly, in a straight Line to a Point in the Avenue leading to the Deer Park at Two hundred Feet distant Westward from the Entrance Gate in Long Moor Lane; thence, North-easterly, in a straight Line to the South-west End of the Rope Walk on the Creggan Road; thence, North-easterly, in a straight Line to a Point in the Lane leading Westward from the Gate at the Black Bush Cottage at One hundred Feet Distance Westward of said Gate; thence, Eastward, One hundred Feet along last-mentioned Lane to the Point on the Fahan Road already described.

To be divided into Three Wards, according to the following Boundaries; in every of such Wards there shall be Two Aldermen and Six Councillors.

No. 1.—NORTH WARD.

FROM the Corporation Hall in a straight Line to the Point at which Ship Quay Street meets the Diamond; thence along Ship Quay Street to the Point at which the same meets the Wooden Quay; thence along the Wooden Quay and along a straight Line drawn in prolongation of the Wooden Quay to the Point at which such straight Line cuts the Boundary of the Borough; thence, Northward, along the Boundary of the Borough to the Point at which the same meets the Avenue to the Bishop's Demesne; thence, Eastward, along the said Avenue to the Point at which the same meets Long Moor Lane; thence along Long Moor Lane to the Point at which the same meets the Rope Walk; thence along the Rope Walk to the Point at which the same meets St. Columb's Well Road; thence, Northward, along St. Columb's Well Road to the Point at which the same meets the Cow Bog; thence along the Cow Bog to Butcher Gate; thence along Butcher Street to the Point at which the same meets the Diamond; thence in a straight Line to the Point first described.

No. 2.—EAST WARD.

FROM the Corporation Hall in a straight Line to the Point at which Ferry Quay Street meets the Diamond; thence along Ferry Quay Street to the Point at which the same meets Pump Street; thence along Pump Street to the Point at which the same meets Widow's Row; thence, Southward, along Widow's Row to the Point at which the same meets Fountain Street; thence, Westward, along Fountain Street to the Point at which the same meets Wapping Lane; thence along Wapping Lane to the Point at which the same meets the River Foyle; thence, Southward, along the River Foyle to the Point at which the same meets the Boundary of the Borough; thence, Eastward, along the Boundary of the Borough to the Point at which the same crosses a straight Line drawn in prolongation of the Wooden Quay; thence along such straight Line to the Eastern End of the Wooden Quay; thence along the Wooden Quay to the Point at which the same meets Ship Quay Street; thence along Ship Quay Street to the Point at which the same meets the Diamond; thence in a straight Line to the Point first described.

No. 3.—SOUTH WARD.

FROM the Corporation Hall in a straight Line to the Point at which Ferry Quay Street meets the Diamond; thence along Ferry Quay Street to the Point at which the same meets Pump Street; thence along Pump Street to the Point at which the same meets Widow's Row;

LONDON-
DERRY—
continued.

LONDON-
DERRY—
continued.

Row; thence, Southward, along Widow's Row to the Point at which the same meets Fountain Street; thence, Westward, along Fountain Street to the Point at which the same meets Wapping Lane; thence along Wapping Lane to the Point at which the same meets the River Foyle; thence, Southward, along the River Foyle to the Point at which the same meets the Boundary of the Borough; thence, Westward, along the Boundary of the Borough to the Point at which the same meets the Rope Walk; thence along the Rope Walk to the Point at which the same meets St. Columb's Well Road; thence, Northward, along St. Columb's Well Road to the Point at which the same meets the Cow Bog; thence along the Cow Bog to Butcher Gate; thence along Butcher Street to the Point at which the same meets the Diamond; thence in a straight Line to the Point first described.

10.—SLIGO.

GENERAL BOUNDARY.

FROM the Northern Angle of the New Stone Quay called Ballast Bank, Eastward, in a straight Line to the Centre of the Bridge on the Road leading from Old Bridge across the Townland of Cartron to the Townland of Ballincan; thence, Eastward, in a straight Line to the Centre of the Bridge on the Road leading from Old Bridge to the Townland of Carcash; thence, South-eastward, in a straight Line to the North-eastern Angle of the Sligo Fever Hospital; thence, Southward, in a straight Line to the Point where the Boundary between the Townlands of Abbey Quarter and Cleveragh meets the Southern Bank of the River Garvoe; thence in a straight Line to the South-eastern Angle of the County Gaol Enclosure Wall; thence, South-westward, in a straight Line to the North-eastern Angle of the House called Peterville on the Western Side of the Boyle Road; thence, North-westward, in a straight Line to the North-western Angle of the House called Rose Hill, now in the occupation of Thomas Read, Esq.; thence, Northward, in a straight Line to the Point at which the North-western Face of Ballast Bank Quay terminates, being about Eighty Yards South-westward of the Point first described; thence along the North-western Face of such Quay to the Point first described.

To be divided into Three Wards, according to the following Boundaries; and in every of such Wards there shall be Two Aldermen and Six Councillors.

No. 1.—NORTHERN WARD.

SLIGO.

FROM the Point at which the River Garvoe cuts the Municipal Boundary, Westward, along the River to the Centre of Old Bridge; thence along Old Bridge or Bridgefoot Street, Wine Street, and the Road which forms the Boundary between the Townlands of Rathedmond and Knappaghbeg, to the Point at which such Road meets the Municipal Boundary; thence, North-eastward, along the Municipal Boundary to the Point first described.

No. 2.—EASTERN WARD.

FROM the Point at which the River Garvoe cuts the Municipal Boundary, Westward, along the River to the Centre of Old Bridge; thence along Old Bridge or Bridgefoot Street, Knox's Street, Radcliffe Street, Market Street, High Street, Pound Street and the Boyle Mail Coach Road, to the Point at which such Road meets the Municipal Boundary; thence, North-eastward, along the Municipal Boundary to the Point first described.

No. 3.—WESTERN WARD.

FROM the Point at which the Boyle Mail Coach Road cuts the Municipal Boundary, along such Road, Pound Street, High Street, Market Street, Radcliffe Street, Knox's Street, Wine Street and the Road which forms the Boundary between the Townlands of Rathedmond and Knappaghbeg to the Point at which such Road meets the Municipal Boundary; thence, Southward, along the Municipal Boundary to the Point first described.

11.—WATERFORD.

GENERAL BOUNDARY.

FROM the Point on the North-west Extremity of the Town where the Yard Wall of the Brewery of Messieurs Davis, Strangman and Company joins the River Suir, in a straight Line to the Point where Summer Hill Gallows Road and Morgan's Street meet; thence along the Military Road, Morrisson's Road, Barrack Street, Manor Hill, College Street, Bath Street, across John's Pill at Wyse's Bridge, along Poleberry Street to near the South Corner of Mr. Deleander's House; thence in a straight Line to where the John's Town Road and Upper Newtown Road meet; thence along the Upper Newtown Road towards East Passage to the Centre of the Road in Front of the Orphan House; thence in a straight Line to, across the River, the Roman Catholic Chapel in the Abbey Church Lands; thence in a straight Line to Mr. Charles Gatson's Cottage on the Side of Mount Misery; thence across the River to the Point first described.

To be divided into Five Wards, according to the following Boundaries; and in every of such Ward there shall be Two Aldermen and Six Councillors.

No. 1.—TOWER WARD.

FROM the Point at which the River Suir meets Henrietta Street, along Henrietta Street, to the Point at which the same meets the open Space in Front of Christ Church; thence in a straight Line to Colebeck Street, along Colebeck Street; thence through Beresford Street to John's Street; thence through a Part of John's Street to John's Bridge; thence along the Centre of John's Pill to Wyse's Bridge; thence along the Municipal Boundary, Eastward, to the River Bank, and along the Course of the River to the Point first described.

No. 2.—CUSTOM HOUSE WARD.

WATERFORD.

FROM the Point at which the River Suir meets Henrietta Street, along the Boundary of Tower Ward, until it meets John's Street; thence, to the North, through Part of John's Street, Michael Street, Broad Street, and Barron Strand Street, to the River; and thence along its Course to the Point first described.

No. 3.—CENTRE WARD.

FROM the Quay opposite Baron Strand Street, along the Boundary of Custom House ward, to where Patrick's Street crosses it; along Patrick's Street, Westwards, to Ballybricken; along the West Wall of the County Gaol, across Barker Street, along Henry Street and Hanover Street, to the River; and thence to the Point first described.

No. 4.—WEST WARD.

FROM the Quay, opposite Hanover Street, along the Boundary of Centre Ward, to where it meets Ballybricken; thence, Westwards, along Ballybricken and Morgan Street to the Point on the Municipal Boundary where Summer Hill, Gallows Road, and Morgan Street meet; thence along the Municipal Boundary across the River. This Ward to include also the whole Space comprehended within the Parliamentary Boundary on the North Side of the River Suir.

No. 5.—SOUTH WARD.

FROM the Point in the Municipal Boundary where Summer Hill, Gallows Road and Morgan Street meet, along the Boundary of West Ward, through Morgan Street, Ballybricken and Patrick's Street, to the Boundary of Custom House Ward; along that Boundary to the Point where it meets the Boundary of Tower Ward; along the Boundary of Tower Ward to Wyse's Bridge; and thence along the Municipal Boundary to the Point first described.

SCHEDULE (D.)

No. 1.

The List of BURGESSES of the Borough of [or in the Parish, or Precinct,
or Ward of in the Borough of .]

Christian Name and Surname of each Person at full Length.	Street, Lane, or other Place in this Borough [or Parish, Precinct, or Ward in this Borough] where the Property in respect whereof the Party is to be enrolled is situate.
Andrews, Peter - - - - -	No. 1, Green Street.
Brady, Thomas - - - - -	No. 3, White's Lane.

Dated the day of in the year

(Signed) A. B.
Churchwarden of the said Parish [or Town Clerk of the
said Borough, or Alderman of the said Ward, &c.]

No. 2.

NOTICE OF CLAIM.

To the Town Clerk of the Borough of

I HEREBY give you Notice, That I claim to have my Name enrolled in the Burgess Roll of
the Borough of , and that I occupy [here describe the House, Warehouse, Counting-
house or Shop then occupied by the Claimant,] in the said Borough, of the full yearly Value
of Pounds or upwards; and that I have occupied the said Premises [or the said
Premises or other Premises, describing such other Premises, within the said Borough,] for the
Space of last past.

Dated the day of in the year

(Signed) HENRY STILES.

No. 3.

NATURE OF OBJECTION.

To the Town Clerk of the Borough of

I HEREBY give you Notice, That I object to the Name of Thomas Brady, of White's Lane, in
this Borough [describe the Person objected to as described in the List of the Churchwardens,
Town Clerk or Alderman of the Ward, &c.] being retained on the Burgess Roll of the Borough
of

Dated the day of in the year

(Signed) MICHAEL MEARES of [here state the Place of Abode and Property
in respect of which he is said to be entitled to be enrolled
in the List of the Churchwardens, Town Clerk or Alder-
man of the Ward, &c.]

No. 4.

LIST OF CLAIMANTS.

The following Persons claim to have their Names inserted on the Burgess Roll of the Borough of .

Christian Name and Surname of each Claimant.	Present Occupancy.	Former Occupancy, as stated in the Claim.
Henry Stiles - - -	House, No. 10, Capel Street -	- - Shop, No. 17, Henry Street, during the last Month, and House, No. 6, Aston's Quay, during the Five preceding Months.

Dated the day of in the year .

(Signed) A. B., Town Clerk.

No. 5.

LIST OF PERSONS OBJECTED TO.

The following Persons have been objected to as not being entitled to have their Names retained on the Burgess Roll of the Borough of .

Christian Name and Surname of each Person objected to.	Property in respect of which he is said to be entitled to be enrolled in the List of the Churchwardens, Town Clerk, or Alderman of the Ward, &c.
Thomas Brady - - - - -	No. 3, White's Lane.

Dated the day of in the year .

(Signed) A. B., Town Clerk.

No. 6.

LIST of PERSONS subject to the Payment of [here insert Poor Rate, &c., as the case may require,] within the Limits of the Borough of [here insert the Name of the Borough,] and within the Collection of the undersigned Collector.

Name of Occupier.	Description of Property rated or assessed.	Name or Situation of the Property.	Amount of Poor Rate, Cess or Tax (as the case may be) charged thereon.	To what Time paid up.

SCHEDULE (E.)

No. 1.

FORM OF PROCESS OF ATTACHMENT OF GOODS IN COURT OF RECORD.

Borough of L. to wit. A. B. of, &c., in, &c. [Name, Residence and Addition of Plaintiff.] Plaintiff. C. D. of, &c., in, &c. [Name, Residence and Addition of Defendant.] Defendant.	}	ATTACH the Defendant by his goods and chattels, if found within the jurisdiction of this Court, so that he be before the Recorder of the said Borough at _____ on _____ day the _____ day of _____ next after the date hereof, to answer the Plaintiff's Suit in an Action for the sum of [here insert the amount of the demand], for [here insert the cause of Action]; and have you then there this Writ.
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Dated this _____ day of _____ One thousand eight hundred _____
G. H., Registrar.

To _____

No. 2.

FORM OF SUMMONS IN COURT OF CONSCIENCE.

Borough of L. to wit. A. B. of, &c., in, &c. [Name, Residence and Addition of Plaintiff.] Plaintiff. C. D. of, &c., in, &c. [Name, Residence and Addition of Defendant.] Defendant.	}	By the President of the Court of Conscience for the said Borough: The Defendant is hereby required personally to appear before the said President at _____ on _____ day the _____ day of _____ next after the date hereof, to answer the Plaintiff's Suit for the sum of [here insert the amount of the debt], for [here insert the particulars of the demand.] On default thereof the said President will proceed as to justice shall appertain.
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Dated this _____ day of _____ One thousand eight hundred _____

Signed on behalf of the Plaintiff, }

Municipal Corporations (Ireland)

A

B I L L,

[WITH THE AMENDMENTS MADE BY THE LORDS
BY THE COMMONS, AND BY THE LORDS]

INTITULED,

AN ACT for the Regulation of Municipal
Corporations and Borough Towns in
Ireland.

*Ordered, by The House of Commons, to be Printed,
9 August 1838.*

[*Price 1s. 6d.*]

Municipal Corporations (Ireland) Bill.

AMENDMENTS MADE BY THE LORDS

TO THE

AMENDMENTS made by The COMMONS to the MUNICIPAL CORPORATIONS (Ireland) BILL;—with REASONS.

THE Lords agree to the Amendments made by the Commons as far as Clause (B.) added by their Lordships to the said Bill.

The Lords do not agree to the Amendment made by the Commons to Clause (B.), for the following Reason :

Because the altering of the Boundaries and Wards of Corporate Towns in England and in Scotland has been deemed to be a matter of grave importance, to be reserved for the decision of Parliament, and the Lords do not see grounds for delegating to the Lord Lieutenant, with the advice of the Privy Council in Ireland, a power of dispensing with and changing the law as it is to be established by this Bill.

The Lords agree to the Amendments made by the Commons to Clause (C.) added by their Lordships to the said Bill, but propose, as a consequential Amendment, to omit the word “ only ” in line 7 of the said Clause.

The Lords do not agree to the Amendments made by the Commons to the Amendment in Press 9, line 6, and insist on their Amendments in Press 9, line 28, and in line 37, to which the Commons disagree, for the following Reasons :

Because the addition of One-fourth part to the sum at which premises are rated to the relief of the poor in consideration of certain probable annual charges could hardly coincide in any case with the true amount of such charges as shown in the Rate-book, and would therefore be unsupported by fact.

Because such addition, being the same whether the premises consist wholly of buildings or of buildings and land jointly, would in the latter case be excessive wherever the value of the buildings, which alone are subject to the principal charge (that for repairs), might be small in proportion to the value of the land held jointly therewith.

Because such uniform addition of a sum bearing a fixed proportion to the rateable value of premises, in consideration of certain charges, which in fact bear no such fixed proportion thereto, must have the effect of creating a franchise not dependent upon uniformity of real value.

Because therefore in many cases, and especially in that to which reference has been made, the franchise would be enjoyed by the occupier of premises inferior in real value to other premises from which no franchise would be derived.

Because they do not deem it desirable to create a new variety of municipal franchise, but rather to adopt a franchise already known in the Corporations to be reformed by the Bill; and precluded from considering the expediency of introducing the English franchise, founded as it is on a previous rating for nearly Three Years, and therefore inapplicable to Ireland, they think it advisable to adopt in the Corporations now to be reformed the municipal franchise recently established in Scotland, carefully defining such franchise according to the manner in which it is commonly interpreted, and referring to the Rate-book, framed for other purposes and by impartial persons, as the test of the real value of the premises from which the franchise is to be derived.

The Lords insist on their Amendment in Press 10, line 1, to which the Commons disagree :

Because they consider the introduction of the words necessary for the purpose of preventing litigation and dispute.

The Lords insist on their Amendments in line 3, and in line 7, to which the Commons disagree, for the Reason last assigned.

The Lords do not agree to the Amendment made by the Commons to their Lordships' Amendment in Press 13, line 29, being to leave out from "Act" to "And" in Press 17, line 26, which Amendment of the Commons was to restore the two last Clauses struck out by the Lords, for the following Reason :

Because the first of the Clauses which the Commons propose to restore contains a provision which is at variance with the general rules of law ; and under the second of these Clauses, the Collector, after having in vain demanded the payment of the rate, might, upon attempting to enforce it, be exposed to the consequences of an irregular act, by the money being in the meantime paid into the Bank.

The Lords insist upon their Amendment which was to leave out Clause (A.) added by way of rider to the Bill, to which the Commons disagree, for the following Reason :

Because the Clause contains a provision having reference to the Clause in Press 16, to which the Lords have already disagreed ;

and

and the tribunal provided in the Clause for the decision of a legal question does not seem to be competent for that purpose; while in a subsequent Clause introduced by the Lords and agreed to by the Commons, a satisfactory tribunal is provided for the decision of claims of persons to be placed upon the roll.

The Lords do not insist on their Amendment in Press 32, line 29, being to leave out from "debts" to "nor" in Press 33, line 14, to which the Commons disagree, but disagree to the Amendments proposed by the Commons to the words thereby restored to the Bill, for a similar Reason to that assigned with reference to the Amendments in Press 9, line 6, 28, 37.

The Lords agree to the Amendments made by the Commons, and do not insist on their Amendments to which the Commons disagree, as far as Press 56, line 35.

The Lords agree to the Amendments made by the Commons to the words restored to the Bill in Press 56, line 16 to line 35, being to omit the word "value" after the words "occupancy of a house," and also to omit the words "provided that when a Borough rate shall have been imposed in any Borough under this Act the words 'rated as being of the value' shall be inserted instead of the words 'of the clear yearly value.'"

The Lords do not agree to the other Amendments proposed by the Commons to the words so restored to the Bill, for the Reason last assigned.

The Lords do not agree to the Amendment made by the Commons to the Amendment in Press 57, line 9, which Amendment of the Commons is to leave out the proviso after the words "punished accordingly," for the following Reason:

Because Parliament having at a recent period required that the oath referred to in the proviso should be generally taken by Corporate Officers being Roman Catholics, it does not appear to the Lords that the Reform to be effected by this Bill in the Municipal Corporations of Ireland will render the taking of such oath less expedient than it was deemed to be at the time at which it was imposed.

The Lords do not insist on their Amendments in Press 77, line 1, and in Press 79, line 24, to which the Commons disagree.

The Lords do not agree to the Amendment made by the Commons to the Amendment in Press 82, line 33:

Because it is inconsistent with a subsequent Amendment in the same Clause, to which the Lords have insisted.

The Lords agree to the Amendment made by the Commons to the original Bill in Press 82, line 38.

The Lords insist on their Amendment in Press 82, line ultimo, to which the Commons disagree :

Because the words inserted by the Lords are considered by them to be necessary.

The Lords agree to the Amendment made by the Commons to the Amendment in Press 83, line 13, which Amendment is to leave out "and until Parliament shall otherwise provide shall continue vested," but do not agree to the Amendment made by the Commons to the said Amendment, to leave out "Body or Bodies Corporate," for the Reason last assigned.

The Lords agree to the other Amendment made by the Commons to the said Amendment, with the following Amendment :

Leave out "May in the year next after the year in which this Act shall come into operation in such Borough," and insert "October One thousand eight hundred and Forty."

The Lords do not insist on their Amendment in line 16, to which the Commons disagree.

The Lords agree to the Amendment made by the Commons to the Amendment in line 24, with the following Amendment :

Leave out "May in the year next after the year in which this Act shall come into operation in such Borough," and insert "October in the year One thousand eight hundred and Forty."

The Lords do not agree to that part of the Amendment of the Commons to the Amendment in Press 84, line ultimo, which leaves out "or according to the principles of any Protestant Dissenters, or for the benefit of any person or persons being Protestants, or any class or denomination of Protestant Dissenters," for the following Reason :

Because it appears to the Lords to be as necessary to provide that charities intended for the benefit of the several classes of Dissenters, being Protestants, should be intrusted to the management of persons of the several persuasions of such classes respectively, as that the charities intended for the benefit of members of the said united church should be intrusted only to the management of members of the same.

The Lords agree to that part of the Amendment which leaves out "or otherwise for purposes relating to and for the benefit of the Protestant religion."

The

The Lords agree to the Amendment made by the Commons to the said Amendment, being to leave out "professing the Roman Catholic religion" and to insert the words "except a member of the said united church", with the following Amendment; after "church" insert "or, as the case may be, who shall not profess the principles of such class or denomination of Protestant Dissenters, for the promoting whose education or worship or for whose benefit any such property as aforesaid may be applicable."

The Lords do not agree to the Amendments made by the Commons to the said Amendment, to leave out "who" and to leave out "shall":

Because these words appear to them to be necessary.

The Lords agree to the Amendment made by the Commons to the said Amendment, to leave out the words "profess the Roman Catholic religion"; but propose, instead thereof, to insert the following words, "profess any other religion than such as he shall have professed at the time of his appointment as such Trustee."

The Lords do not agree to the Amendment made by the Commons to the said Amendment, to leave out from "died" to the end of the Clause, for the following Reason:

Because the Corporations named in the proviso are mainly managed by voluntary subscribers, with the exception of the Blue Coat Hospital, which is specifically provided for by a subsequent Clause, on which the Lords likewise insist.

The Lords agree to the proviso added by the Commons to the said Amendment, with the following Amendment; leave out "May," and insert "October."

The Lords agree to the Amendments made by the Commons, and do not insist on their Amendments to which the Commons disagree, as far as Clause (T. 3.) added by their Lordships to the said Bill.

The Lords insist upon Clause (T. 3.) to which the Commons disagree, for the following Reasons:

Because, unless the present Trustees, who are very numerous, be continued as a Corporation, great inconvenience must arise from each and all of them being required to execute every lease or other instrument affecting the charity, whereby the due administration of its affairs will be rendered difficult, if not impossible.

Because the Lords are of opinion that the same course which was adopted in the case of the Louth school, in the Act for regulating Corporations in England, may be followed with advantage in the present instance.

The Lords insist upon Clause (V. 3.), added by their Lordships to the said Bill, to which the Commons disagree, for the following Reason :

Because the Corporators who were made by Act of Parliament standing Trustees of Erasmus Smith's schools were so appointed on account of their being Governors of the Blue Coat Hospital, which they will cease to be under the operation of Clause(T.), upon which the Lords have insisted.

The Lords agree to the Amendments made by the Commons, and do not insist on their Amendments to which the Commons disagree, as far as Press 106, line 30.

The Lords insist upon their Amendment in Press 106, line 30, to which the Commons disagree; and do not agree to the Amendment made by the Commons in Press 106, line 32, to insert "shall thereupon cease and determine" instead of the words proposed to be inserted by the Lords, for the following Reason :

Because the Lords think it reasonable that there should be one uniform system of taxation provided for by the present Bill.

The Lords insist upon that part of their Amendment which proposes to leave out the Clause beginning Press 106, line 35, to which the Commons disagree, for the following Reason :

Because the Lords propose to disagree to the subsequent Clause, for the purpose of which this Clause is proposed to be retained.

The Lords insist upon their Amendment in Press 114, line 7, to which the Commons disagree :

Because the Lords are of opinion that in those cases only where there is a surplus of the Borough Fund, it should be applied to defray the expenses of the objects mentioned in this Clause.

The Lords do not agree to the Amendment made by the Commons to their Amendment in line 12, for the same Reason.

The Lords insist upon their Amendments in line 21 and in line 22, to which the Commons disagree :

Because the Lords are of opinion that it is reasonable that, if there be any surplus, it should be applied to the objects referred to, in diminution of the public burdens imposed by local Boards, notwithstanding their powers shall not have been transferred to the Council.

The Lords insist upon their Amendment in Press 115, lines 9 and 10, to which the Commons disagree :

Because they think the introduction of the words advisable, with a view to prevent dispute and litigation.

The

The Lords insist upon their Amendment in Press 116, line 18, to which the Commons disagree, for the following Reason :

Because the Lords consider that the mode of rating provided for by their Amendment is a much more equable and just system of rating than that which is prescribed by the Act referred to in this Clause.

The Lords do not insist upon their Amendment in Press 122, line 30, to which the Commons disagree.

The Lords insist upon their Amendment in Press 136, line 10, to which the Commons disagree, but propose to amend the words inserted by their Lordships by leaving out " Her Majesty, Her heirs and successors", and inserting "the Lord Lieutenant of Ireland", for the following Reason :

Because, having on a former occasion acquiesced in the opinion then expressed by the Commons that offices connected with the administration of justice in Ireland should be removed from local influence, and placed under the immediate authority of the Crown, they are now unwilling to adopt a provision which might in practice conflict with the principle thus established.

Because the alteration proposed is necessary in consequence of the agreement of the Lords to the proviso next referred to.

The Lords agree to the Proviso added by the Commons to the end of the Clause Press 137, line 33, with the following Amendment :

Leave out " Sheriff of the county of that city or town shall be before the Twenty-ninth day of September in the same year appointed by the Lord Lieutenant of Ireland without any nomination by the Council being requisite as to the Sheriff so first appointed under this Act" and insert "first Sheriff of the county of that city or town to be appointed under this Act shall be appointed before the Twenty-ninth day of September in the same year."

The Lords do not insist upon Clause (S.) added by their Lordships to the said Bill, to which the Commons disagree.

The Lords insist upon their Amendment in Press 161, line 10, to which the Commons disagree, for the following Reason :

Because the Lords are of opinion that it is proper that the Town Clerk should be the Registrar, and because the same provision is contained in the Act for regulating Corporations in England.

The Lords agree to the Amendments made by the Commons, and do not insist upon their Amendments to which the Commons disagree, as far as Clause (X.) added by their Lordships to the said Bill.

The Lords do not agree to the Amendments made by the Commons to Clause (X.), for the following Reasons:

Because the Amendment proposed by the Commons would not only introduce into certain towns in Ireland the provisions of an Act which the persons most highly taxed in such towns have shown their unwillingness to adopt, but would compel the introduction thereof where a majority of the persons entitled to vote in the election of Commissioners under that Act, and even where all such persons should unanimously declare their unwillingness that its provisions should be carried into execution.

Because the Lords do not deem it expedient thus forcibly to impose upon such towns a system of local government under which the only appeal against an assessment alleged to be unjust is to the Commissioners by whom such assessment has been made; and the majority who elect the Commissioners may by means of such illusory appeal to their own nominees, and of the graduated scale of taxation established by that Act, subject the minority to an undue proportion of the public burdens.

Because the provisions of that Act enable the Commissioners to exercise the power of appointing and paying an indefinite number of persons under the name of Watchmen, a power which the Commons have concurred with the Lords in withholding from the Corporate Bodies to be constituted by this Bill.

The Lords disagree to the Amendments made by the Commons to Clause (Y.) added by their Lordships to the said Bill, for the Reason last assigned.

The Lords insist upon Clauses (Z.), (A. 1.), (B. 1.) and (C. 1.), added by their Lordships to the said Bill, to which the Commons disagree, for the following Reason:

Because these Clauses are rendered necessary in consequence of previous Amendments on which the Lords have insisted.

The Lords insist upon Clause (D. 1.) added by their Lordships to the said Bill, to which the Commons disagree, but propose the following Amendments to the said Clause:

Leave out "be assessed in respect of property in such Borough to a rate or rates amounting to Twenty Pounds or upwards, nor unless he," and insert "for Twelve Months next previous have occupied a house of the clear yearly value of Fifteen Pounds or upwards situate within the Borough or," and leave out "One thousand," and insert "Five hundred."

The

The Lords insist upon Clause (E. 1.) added by their Lordships to the said Bill, to which the Commons disagree, but propose the following Amendments to the said Clause :

Leave out "One thousand," and insert "Five hundred"; after "debts" leave out "and" and insert "or"; leave out "a house situate within the Borough of" in respect of which I am assessed to a rate of Twenty Pounds and upwards under the Act for the Relief of the Poor," and insert "and have occupied for Twelve Months last past a house situate within the Borough of" of the clear yearly value of Fifteen Pounds or upwards"; leave out "and rating" and insert "or occupation"; leave out "to the same amount"; and leave out "and rating as the amount" and insert "or by occupation of a house as".

Which Amendments in the said Clauses (D. 1.) and (E. 1.) the Lords have made :

Because they are rendered necessary by their Lordships having assented to some previous Amendments proposed by the Commons.

The Lords insist upon Clauses (F. 1.) and (G. 1.) added by their Lordships to the said Bill, to which the Commons disagree, for the Reason assigned with reference to Clause (Z.)

The Lords agree to the Amendment made by the Commons to Clause (H. 1.) added by their Lordships to the said Bill.

The Lords insist upon Clause (I. 1.) added by their Lordships to the said Bill, to which the Commons disagree, but propose the following Amendments, for the purpose of carrying into effect certain Amendments of the Commons to which the Lords have agreed :

Leave out "in any Borough named in the said Schedule (B.) from which no Petition for a Charter of Incorporation signed as aforesaid shall be presented to Her Majesty on or before the day to be named by the said Lord Lieutenant as hereinbefore is mentioned, or"; leave out "of Incorporation"; leave out "to be named, by the said Lord Lieutenant as aforesaid," and insert "on which this Act shall come into operation"; leave out from "case" in Fo. 2, line 6, to the end of the Clause, and insert "the powers and duties of the Body or reputed or late Body Corporate named in the said Schedule (B.) to this Act annexed in connexion with such Borough shall cease, except such as are necessary for continuing the Corporation, and except such as are hereinafter mentioned, in like manner as if the said Body Corporate were dissolved; and every provision hereinafter contained with reference to Bodies Corporate which shall be dissolved by

virtue of this Act shall, so far as the same are applicable, apply to every such Body Corporate as aforesaid”.

The Lords insist upon Clause (K. 1.) added by their Lordships to the said Bill, to which the Commons disagree; but propose, for the Reason last assigned, the following Amendments:

Leave out (A.) and insert (B.); and leave out “any” between the words “with” and “Borough”, and insert “such.”

The Lords agree to the Amendment made by the Commons to Clause (M. 1.) added by their Lordships to the said Bill.

The Lords do not agree to the Amendment made by the Commons to Clause (S. 1.) added by their Lordships to the said Bill:

Because it does not seem just to confine the Compensation proposed by the said Clause to persons appointed since the Sixteenth of February One thousand eight hundred and Thirty-six.

The Lords insist upon Clauses (V. 1.), (W. 1.), (X. 1.), (Y. 1.) and (Z. 1.) added by their Lordships to the said Bill, to which the Commons disagree:

Because these Clauses are rendered necessary in consequence of previous Amendments on which the Lords have insisted.

The Lords do not agree to the Amendments made by the Commons to Clause (G. 2.) added by their Lordships to the said Bill, to leave out “or”, and insert “now stands or stand solely or together with”; nor to leave out from “Body Corporate” to “seised”; nor to leave out from “trusts whatsoever” to “and which provisions”:

Because the restoration of the words omitted by the Commons is rendered necessary on account of previous Amendments of their Lordships, on which they have insisted.

But the Lords propose, instead of the last Amendment, to leave out from “trusts whatsoever” to “and also with”, being the following words: “or upon trust for any other purposes”.

The Lords agree to the other Amendment made by the Commons to the said Clause.

The Lords agree to the Amendment made by the Commons to Clause (H. 2.) added by their Lordships to the said Bill, with the following Amendment:

After “Commissioners” insert “or if there be no such Commissioners, then, until Parliament shall otherwise provide, by such Trustees as the Lord Chancellor of Ireland or Lords Commissioners for the custody of the great seal for the time being shall, by order to be from time to time made upon petition in a summary way, appoint and select”.

The

The Lords also propose to amend the said Clause by leaving out at the commencement thereof the following words : " nothing in this Act contained shall alter or affect the provisions of any local Act or Acts of Parliament made before the passing of this Act for lighting, watching, cleansing, paving, or otherwise relating to any Borough or Town named in the said Schedule (B.) to this Act annexed, further or otherwise than as the same are inconsistent with or contrary to the provisions of this Act, and that all powers which by any such Act of Parliament are vested in", and inserting instead thereof the words following : " all powers and trusts not otherwise herein provided for which by any Act of Parliament or otherwise are vested in or exercised by"; which Amendment they consider necessary in consequence of not having insisted on Clause (O.) to which the Commons disagree.

The Lords agree to the Amendments made by the Commons in Clause (I. 2.) added by their Lordships to the said Bill, with the following Amendment :

After " Commissioners" insert " where there shall be such Commissioners".

The Lords insist upon Clauses (P. 2.) and (Q. 2.) added by their Lordships to the said Bill, to which the Commons disagree :

Because these Clauses are rendered necessary in consequence of previous Amendments on which the Lords have insisted.

The Lords do not insist upon Clause (D. 3.) added by their Lordships to the said Bill, to which the Commons disagree.

The Lords agree to the other Amendments made by the Commons to their Lordships' Amendments.

Municipal Corporations (Ireland) Bill.

AMENDMENTS

Made by The Lords

TO THE

AMENDMENTS made by THE COMMONS to the
MUNICIPAL CORPORATIONS (Ireland) BILL;—

WITH REASONS.

*Ordered, by The House of Commons, to be Printed,
9 August 1838.*

609



(Ireland.)

A

B I L L

For the Regulation of Municipal Corporations in Ireland.

- W**H **H**EREBY divers Bodies Corporate at sundry times have been constituted within the Cities, Towns, Counties of Cities, Counties of Towns, and Boroughs of Ireland, to the intent that the same might for ever be and remain well regulated and quietly governed; and it is expedient that the Charters by which several of the said Bodies Corporate are constituted should be altered in the manner hereinafter mentioned; **BE it therefore Enacted**, by The QUEEN's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, **THAT** so much of all Laws, Statutes and usages, and so much of all Royal and other Charters, Grants and Letters Patent, rules, orders and directions now in force relating to the several Boroughs named in the Schedules(A.) and (B.) to this Act annexed, or to the inhabitants thereof, or to the several Bodies or reputed or late-Bodies Corporate named in the said Schedules, or any of them, as is inconsistent with or contrary to the provisions of this Act, shall be repealed and annulled, from the time when this Act shall come into operation in each of such Boroughs respectively.
- And be it Enacted, That every person who now is or hereafter may be an inhabitant of any Borough named in either of the said Schedules (A.) and (B.), and also every person who has been admitted or who might hereafter have been admitted a Freeman or Burgess of any such Borough, if this Act had not been passed, otherwise than by gift or purchase, or who now is or hereafter may be the
- 34.

Preamble.

1.
Repeal of all Acts, Charters and Customs inconsistent with this Act.

2.
Reservation of all Right of Property and beneficial Exemptions to Freeman, their Wives and Children.

A

wife,

wife, or widow, or son, or daughter of any Freeman or Burgess, or of any person who shall have been entitled to be admitted a Freeman or Burgess of any such Borough as aforesaid, or who may have espoused or may hereafter espouse the daughter or widow of any such Freeman or Burgess, or of any such person as last aforesaid, or who has been or may hereafter be bound an apprentice to any such Freeman or Burgess or any such person as last aforesaid, shall have and enjoy and be entitled to acquire and enjoy the same share and benefit of the lands, tenements and hereditaments, and of the rents and profits thereof, and of the common lands and public stock of any such Borough or Body Corporate, and of any lands, tenements and hereditaments, and any sum or sums of money, chattels, securities for money, or other personal estate of which any person or any Body Corporate may be seised or possessed, in whole or in part, for any charitable uses or trusts, as fully and effectually, and for such time and in such manner as he or she, by any statute, charter, bye-law or custom in force at the time of passing this Act, might or could have had, acquired or enjoyed the same in case this Act had not been passed : Provided always, That the total amount to be divided amongst the persons whose rights are herein reserved in this behalf shall not exceed the surplus which shall remain after payment of the interest of all lawful debts chargeable upon the real or personal estate out of which the sums so to be divided have arisen, together with the salaries of Municipal Officers and all other lawful expenses which on the Fifth day of June One thousand eight hundred and Thirty-five were defrayed out of or chargeable upon the same : Provided also, That nothing hereinbefore contained shall be construed to apply to any claim, right or title of any Burgesses or Freemen, or of any person, to any discharge or exemption from any tolls or dues levied wholly or in part by or to the use or benefit of any Borough or Body Corporate.

3.
None to be
exempted
from Tolls but
those who
were so on
5th June 1835.

And be it Enacted, That after the passing of this Act no person shall have or be entitled to claim thenceforward any discharge or exemption from any tolls or dues lawfully levied, in whole or in part, by or to the use of any Body Corporate, except as hereinafter is excepted : Provided nevertheless, That every person who on the said Fifth day of June One thousand eight hundred and Thirty-five was an inhabitant, or was entitled to be a Freeman or Burgess of any such Borough, or who on the said Fifth day of June was the wife or widow, son or daughter of any Freeman of any Borough, or who on the said Fifth day of June was bound an apprentice, shall be entitled to have or acquire and enjoy the same discharge or exemption from any tolls or dues lawfully levied, in whole or in part, by or to the use of any Borough or Body Corporate, as fully and for such time and in such sort as he or she by any statute, charter, bye-law, or custom in force on the said Fifth day of June might

might or would have had, acquired, and enjoyed the same if this Act had not been passed, and no further or otherwise.

And be it Enacted, That nothing in this Act contained shall be construed to entitle any person to any share or benefit of the rights herein reserved who shall not have first fulfilled every condition which if this Act had not passed would have been a condition precedent to his or her being entitled to the benefit of such rights, so far as the same is capable of being fulfilled, according to the provisions of this Act, or to strengthen, confirm or affect any claim, right or title of any Bur-
 5 gesses or Freemen of any Borough or Body Corporate, or of any
 10 person, to the benefit of any such rights as are hereinbefore reserved, but the same in every case may be brought in question, impeached and set aside in like manner as if this Act had not been passed; and where by any statute, charter, bye-law or custom in force within any
 15 borough at the time of passing this Act any person whose rights in this behalf are hereinbefore reserved would have been liable, in case this Act had not been passed, to pay any fine, fee or sum of money to any Body Corporate, or to any member, officer or servant of any Body Corporate, in consideration of his freedom, or of his or her title to such
 20 rights as are herein reserved, no such person shall be entitled to have or claim any share or benefit in respect of the rights herein reserved as aforesaid until he or she shall have paid the full amount of such fine, fee or sum of money in manner following; (that is to say) if such rights be within any Borough named in the said Schedule
 25 (A.), or in any Borough named in the said Schedule (B.) to which a Charter of Incorporation shall have been granted as hereinafter is mentioned, to the Treasurer of such Borough appointed under the provisions of this Act, on account of the Borough Fund hereinafter mentioned; but if such rights be within any Borough named
 30 in the said Schedule (B.) to which no such Charter of Incorporation shall have been granted, then to such person as the Commissioners hereinafter mentioned shall appoint to receive the same, to be applied to the public benefit of the inhabitants thereof.

4.
Conditions of admission to be fulfilled as heretofore.

And be it Enacted, That after the passing of this Act no person
 35 shall be elected, made or admitted a Burgess or Freeman of any Borough by gift or purchase.

5.
No person to be admitted a Freeman by Gift or Purchase.

AND whereas by an Act passed in the Session of Parliament holden in the second and third years of the reign of his late Majesty, intituled, "An Act to amend the Representation of the
 40 People of Ireland," it was enacted, that all Freemen, Freeholders and persons who by reason of any corporate or other right were then by law entitled to vote at the election of a Member or Members to serve in Parliament for any City, Town or Borough,

6.
Reservation of the Parliamentary Franchise to Freemen.

and all persons who by reason of birth, marriage, service, or of any Statute then in force, should be at any time thereafter admitted to their freedom in any City, Town or Borough sending a Member or Members to Parliament, should, subject to the conditions and provisions in that Act contained, have and enjoy such right of voting as fully and in like manner as if that Act had not been passed; BE it Enacted, That nothing herein contained shall prejudice, confirm, affect or alter any right of voting of any such person now registered or any right to be registered of any such person who shall have been admitted a Freeman of any such Borough, at any time before this Act shall come into operation in that Borough; and that every person who shall then have, or who, if this Act had not been passed, thereafter would have had a right, by reason of birth, marriage or service, or of any statute so in force, to be admitted a Freeman of any such Borough, or, after his admission to the freedom of such Borough, to be placed on the Roll of Freemen of such Borough, and to acquire, as such Freeman, the right of voting in the election of a Member or Members to serve in Parliament for such Borough, shall be entitled to be admitted and enrolled as a Freeman of such Borough on "The Freemen's Roll" of such Borough, according to the provisions hereinafter contained, and to acquire and enjoy, as such Freeman, such right of voting (subject to the conditions and provisions in the said recited Act contained), as fully as if this Act had not been passed, and as if he had been actually admitted a Freeman of such Borough, provided he shall be enrolled on "The Freemen's Roll" of such Borough, according to the provisions hereinafter contained.

7.
Proviso as
to Freemen
by birth and
marriage.

Provided always, and be it Enacted, That no person shall have a right so to acquire, as a Freeman, such right of voting as aforesaid in respect of birth or marriage, unless his right be originally derived from or through some person who, in the case of birth, was a Freeman previously to the Thirty-first day of March One thousand eight hundred and Thirty-one, or, in the case of marriage, was the daughter of a person who was a Freeman previously to that day, or from or through some person who since that time shall have become or shall hereafter become a Freeman in respect of servitude.

8.
No admission
or enrolment
unless right of
freedom pre-
vailed on 30th
March 1831.

Provided always, and be it Enacted, That no person shall be entitled to be admitted a Freeman of any Borough, or enrolled on "The Freemen's Roll" of any Borough, unless in respect of some right to the freedom of such Borough, which lawfully prevailed and was in force therein on the Thirtieth day of March One thousand eight hundred and Thirty-one.

And

9.
Lord Lieu-
tenant to
appoint a
person to
make out a
"Freemen's
Roll" in cer-
tain cases.

And be it Enacted, That in every Borough named in the said Schedule (B.) to which no Charter of Incorporation shall have been granted by virtue of this Act, and in which at any time there shall not be a Chairman of such Commissioners as shall have the manage-
ment of the Corporate Revenues, by virtue of the provisions hereinafter contained, the Lord Lieutenant of Ireland shall appoint, from time to time, a fit person to make out a list, to be called "The Freemen's Roll" of such Borough, and to act in respect thereto as hereinafter mentioned.

10.
Town Clerk
to make a
Freemen's
Roll.

And be it Enacted, That the Town Clerk of every Borough shall, on or before the First day of December next after this Act shall come into operation in that Borough, make out a List, to be called "The Freemen's Roll," of all persons who shall have been admitted as Freemen of such Borough; and that whenever any person who has, or shall have, or if this Act had not been passed, would have had a right to be admitted a Freeman, for the purposes aforesaid, of such Borough, in respect of birth, servitude or marriage, or any statute so in force, and who, but for the passing of this Act, would have been entitled to enforce such right at law, shall claim to be admitted accordingly, the Mayor in any Borough named in Schedule (A.) to this Act annexed, or in any Borough named in Schedule (B.) to this Act annexed, to which a Charter of Incorporation shall have been granted, as hereinafter mentioned, and in any Borough named in the said Schedule (B.), to which no such Charter of Incorporation shall have been granted, the Chairman of the Commissioners of every such Borough, in which any Commissioners shall have the management of the Corporate Revenues by virtue of the provisions hereinafter contained, or in case there shall be no such Chairman, such fit person to be so appointed by the Lord Lieutenant of Ireland as aforesaid, shall, within Seven Days after the making thereof, examine into such claim, and upon such claim being established, every such person shall thereupon be admitted and enrolled by the Town Clerk of such Borough upon the said "Freemen's Roll;" and the Town Clerk shall keep a true Copy of such Roll, to be perused by any person, without payment of any fee, at all reasonable times, and shall deliver a copy thereof or extract therefrom to any person requiring the same, on payment of a reasonable price for such copy or extract, not exceeding the sum of Three-pence for every hundred names, and so in proportion for any lesser number: Provided always, That the right of every person enrolled on the "Freemen's Roll" to be registered for or to vote at the election of a Member or Members to serve in Parliament may be questioned in like manner as if this Act had not been made, and shall not be in any manner confirmed or prejudiced by such enrolment.

11.
Remedies by
Mandamus
under 33
Geo. 3, c. 38,
and by Quo
Warranto
under 38
Geo. 3, c. 2,
to be applied
with reference
to "The Free-
men's Roll."

And be it Enacted, That the provisions and limitations of an Act passed in the Parliament of Ireland in the thirty-third year of the reign of his Majesty King GEORGE the Third, intituled, " An Act for giving Relief in Proceedings upon Writs of Mandamus for Admission of Freemen into Corporations," shall apply to every person who shall, under this Act, have a right to be admitted and enrolled upon " The Freemen's Roll " of any Borough ; and the right of every person to be or to have been placed or to remain upon such " Freemen's Roll," and the right of every person enrolled thereon as an admitted Freeman, to have been admitted to the freedom of such Borough, may be questioned and determined upon an information in the nature of Quo Warranto, to be filed by the Attorney-general, or, with the leave of the Court of Queen's Bench, by any registered Parliamentary Elector, Burgess or person qualified to vote at elections under this Act for the Borough in which such " Freemen's Roll " shall be made ; and all the provisions of and limitations contained in an Act passed in the Parliament of Ireland, in the thirty-eighth year of the reign of King GEORGE the Third, intituled, " An Act for the Amendment of the Law in Proceedings upon Information in the Nature of Quo Warranto," shall apply to every such information to be filed as aforesaid.

12.
As to
Boroughs in
which there is
no Town
Clerk.

And be it Enacted, That in any Borough in which there shall be no Town Clerk, or in which the Town Clerk shall be incapable of acting, all matters by this Act required to be done by or with regard to the Town Clerk not hereinbefore otherwise provided for, shall be done by and with regard to the person executing duties in such Borough similar to those of Town Clerk ; and if there be no such person, or if such person be incapable of acting, then by and with regard to such fit person as the Mayor of such Borough shall appoint in that behalf ; and if there shall be no Mayor, the Lord Lieutenant shall appoint, by writing under his hand, a proper person to perform such duties required to be done by and with regard to the Town Clerk under this Act ; and in extra-parochial places, and in Parishes where there is no Churchwarden, or where the Churchwarden may be absent or incapable of acting, the Lord Lieutenant shall appoint, by writing under his hand, a proper person to perform the duty of Churchwarden under this Act, and the acts of such person shall be as valid as if done by a Churchwarden.

As to places
where there
is no Church-
warden.

13.
Corporations
in Schedule
(A.) to be
styled Mayor,
Aldermen and
Burgesses.

AND whereas it is expedient that the Boroughs named in the Schedule (A.) to this Act annexed should continue to be Towns Corporate : AND whereas it may be expedient that some of the Boroughs named in the Schedule (B.) to this Act annexed, which now are Towns Corporate, and also sundry other Towns in Ireland, not named in the Schedules to this Act annexed, in some of which the

the Corporations have been extinct, and others of which never have been Towns Corporate, should receive Charters of Incorporation under this Act: AND whereas it is also expedient to make provision for the administration of the Corporate Funds of those Boroughs
 5 named in the said Schedule (B.) to which Charters of Incorporation under this Act shall not be granted, pursuant to the provisions hereinafter contained: BE it Enacted, That after the first election of Councillors under this Act in any Borough named in the said
 10 Schedule (A.) the Body or reputed Body Corporate named in the said Schedule in connexion with such Borough, shall take and bear the name of the Mayor, Aldermen and Burgesses of such Borough, except the Corporation of Dublin, which shall bear the name of the Right Honourable the Lord Mayor, Aldermen and Burgesses of Dublin, and by those names shall have perpetual succession, and shall be
 15 capable in law, by the Council hereinafter mentioned of such Borough, to do and suffer all acts which such Bodies Corporate lawfully may do and suffer, and shall be entitled to, invested with and possessed of all the lawful rights, trusts, powers, authorities, properties and estates now or of late legally vested in or belonging or which of
 20 right ought to belong to such Boroughs or Bodies Corporate respectively, solely or jointly with any other person or Body Corporate, save only those in respect of which other provisions are herein contained; and the Mayor of each of the said Boroughs shall be capable in law to do and suffer all acts which the chief officer of
 25 such Borough might or may lawfully do and suffer, so far as such powers, rights, trusts and privileges respectively are not altered or annulled by the provisions of this Act.

And be it Enacted, That on the Twenty-fifth day of October One thousand eight hundred and Forty, in every Borough named in the
 30 Schedule (B.) to this Act annexed, the Body or reputed Body Corporate named in the said Schedule (B.) in conjunction with that Borough shall be dissolved, and this Act shall then come into operation in every such Borough.

14.
Corporations
in Schedule
(B.) dissolved.

And be it Enacted, That if a petition to grant a Charter of Incorporation under this Act to the inhabitants of any Borough named
 35 in the Schedule (B.) to this Act annexed, or to the inhabitants of any other town in Ireland, in which the population according to the Census or Abstract then last laid before both Houses of Parliament as by law required, shall exceed the number of Three thousand,
 40 signed by a majority of such of the inhabitants thereof as shall be rated for the relief of the destitute poor in any rate made under the Act for the more effectual Relief of the Destitute Poor in Ireland, shall be presented to Her Majesty, then and in every such case it shall

15.
The Queen
empowered
to grant
Charters of
Incorporation.

be lawful for Her Majesty, by any such Charter, if by the advice of Her Privy Council she shall think fit to grant the same, to extend to the inhabitants of any such Borough or Town, within the district to be set forth in such Charter, the powers and provisions in this Act contained: Provided that notice of every such petition, and of the time when it shall please Her Majesty to order that the same be taken into consideration by Her Privy Council, shall be published by Royal Proclamation in the Dublin Gazette One calendar Month at least before such petition shall be so considered: Provided also, That within Six Weeks after the commencement of each Session of Parliament, a Return of all the Towns in Ireland, from which petitions shall have been presented for Charters of Incorporation, in pursuance of the provisions hereinbefore contained, shall be laid by One of Her Majesty's Principal Secretaries of State before both Houses of Parliament.

Return of
Boroughs
which have
petitioned
for Charters
to be laid
before Par-
liament.

16.

Property how
to be applied:
in Boroughs
in Schedule
(B.) in which
the 9 Geo. 4,
c. 82, is now
in force.

And be it Enacted, That on the Twenty-fifth day of October One thousand eight hundred and Forty, in every Borough named in the said Schedule (B.) in which any Commissioners shall then have been elected under the Act passed in the Session of Parliament held in the ninth year of the reign of King GEORGE the Fourth, intituled, "An Act to make Provision for the Lighting, Cleansing, and Watching of Cities, Towns Corporate, and Market Towns in Ireland, in certain Cases," the real and personal estate of the Body Corporate named in the said Schedule (B.) in conjunction with that Borough shall forthwith vest in such Commissioners, and the rents and profits thereof, after defraying all charges to which such rents or profits may be liable, shall be applied by the Commissioners in aid of the rates to be levied by them under the said Act, and the surplus thereof, if any, shall be applied by them for the public benefit of the inhabitants and improvement of the Borough until such Charter may at any time afterwards be granted; and upon the grant of any such Charter, and the election of a Council under its provisions, the powers of such Commissioners as to the said estate shall cease, and all the said estate, and any accumulation thereof, shall forthwith, without any conveyance thereof, vest in the body so incorporated.

17.

Property how
to be applied
in those
Boroughs in
Schedule (G.)
in which the
9 Geo. 4 is
not now in
force.

And be it Enacted, That on the Twenty-fifth day of October One thousand eight hundred and Forty, in any Borough named in the Schedule (G.) to this Act annexed, in which there shall not then have been elected any Commissioners under the said Act of the ninth year of King GEORGE the Fourth, there shall be constituted a Board of Commissions for the disposition of such property, according to the provisions hereinafter contained, to be called

called "The Municipal Commissioners" of such Borough, until such Charter may at any time afterwards be granted, or until there shall be elected in such Borough any Commissioners under the said Act of the ninth year of King GEORGE the Fourth; and upon the
5 grant of any such Charter and the election of a Council under its provisions, or upon the election of any Commissioners under the said Act of the ninth year of King GEORGE the Fourth, such Board of Commissioners shall cease, and all the said estate and any accumulation thereof shall forthwith, without any conveyance thereof,
10 vest in the body so incorporated, or in the Commissioners elected under the said Act of the ninth year of King GEORGE the Fourth, where no such Charter shall then have been granted, as the case may be; and in case such estate and accumulation shall so have vested in such Commissioners under the said Act of the ninth year
15 of King GEORGE the Fourth, the same shall be applied by such Commissioners in aid of the rates to be levied by them under the said Act, and the surplus thereof, if any, shall be applied by them for the public benefit of the inhabitants and improvement of the Borough until such Charter may at any time afterwards be granted; and upon
20 the grant of any such Charter and the election of a Council under its provisions, the powers of the said Commissioners as to the said estate shall cease, and all the said estate and any accumulation thereof shall forthwith, without any conveyance thereof, vest in the body so incorporated.

25 And be it Enacted, That in every such Borough as last aforesaid the number of Municipal Commissioners who shall be elected to constitute such Board as aforesaid shall be after the rate of One Commissioner for every Five hundred of the population of such Borough, according to the census or abstract of the population hereinbefore
30 mentioned.

18.
One Commissioner to be elected for every Five hundred Inhabitants.

And be it Enacted, That on the Twenty-fifth day of October One thousand eight hundred and Forty, in any Borough named in the Schedule (H.) to this Act annexed, in which there shall not then have been elected any Commissioners under the said Act of the
35 ninth year of King GEORGE the Fourth, the real and personal estate of such Body Corporate shall forthwith vest in the Guardians of the Poor of the Union in which such Borough is situate, and the rents and profits thereof, after defraying all charges to which such rents or profits may be liable, shall be applied by the Guardians in
40 aid of the Rates to be levied by them for the relief of the destitute poor in the electoral district or districts of such Union in which such Borough or any part thereof is situate, until such Charter may at any time afterwards be granted, or until there shall be elected in

19.
Property how to be applied in those Boroughs in Schedule (H.) in which the 9 Geo. 4 is not now in force.

such Borough any Commissioners under the said Act of the ninth year of King GEORGE the Fourth; and upon the grant of any such Charter, and upon the election of a Council under its provisions, or upon the election of any Commissioners under the said Act of the ninth year of King GEORGE the Fourth, all the said estate and any accumulation thereof shall forthwith, without any conveyance thereof, vest in the body so incorporated, or in the Commissioners elected under the said Act of the ninth year of King GEORGE the Fourth where no such Charter shall have been granted, as the case may be; and in case such estate and accumulation shall so have vested in such Commissioners under the said Act of the ninth year of King GEORGE the Fourth, the same shall be applied by such Commissioners in aid of the rates to be levied by them under the said Act, and the surplus thereof, if any, shall be applied by them for the public benefit of the inhabitants and improvement of the Borough, until such Charter may at any time be granted; and upon the grant of any such Charter, and the election of a Council under its provisions, the powers of the said Commissioners as to the said estate shall cease, and all the said estate and any accumulation thereof shall forthwith, without any conveyance thereof, vest in the body so incorporated.

20.
Property, how
to be applied
in Boroughs
in Schedule
(I.)

And be it Enacted, That on the Twenty-fifth day of October One thousand eight hundred and Forty, in every Borough named in the Schedule (I.) to this Act annexed, in which any Commissioners shall then have been elected under the said Act passed in the Session of Parliament held in the ninth year of the reign of King GEORGE the Fourth, the real and personal estate of the Body Corporate named in the said Schedule (I.) in conjunction with that Borough shall forthwith vest in such Commissioners, and the rents and profits thereof, after defraying all charges to which such rents or profits may be liable, shall be applied by the Commissioners in aid of the rates to be levied by them under the said Act, and the surplus thereof, if any, shall be applied by them for the public benefit of the inhabitants and improvement of the Borough; and in any Borough named in said Schedule (I.) in which there shall not have been elected on the day last mentioned any Commissioners under the said last-mentioned Act, the real and personal estate of such Body Corporate shall forthwith vest in the Guardians of the Poor of the Union in which such Borough is situate, being the Union named in the said Schedule (I.) in conjunction with that Borough; and the rents and profits thereof, after defraying all charges to which such rents or profits may be liable, shall be applied by the Guardians in aid of the rates to be levied by them for the relief of the destitute poor in the electoral district or districts of such Union in which such Borough

Borough or any part thereof is situate, until there shall be elected in such Borough any Commissioners under the said last-mentioned Act; and upon the election of any Commissioners under the said last-mentioned Act, all the said estate and any accumulation thereof shall forthwith, without any conveyance thereof, vest in the Commissioners elected under the said last-mentioned Act, and shall be applied by such Commissioners in aid of the rates to be levied by them under the said Act, and the surplus thereof, if any, shall be applied by them for the public benefit of the inhabitants and improvement of the Borough.

Provided always, and be it Enacted, That the dissolution of any Corporate Body under this Act shall not affect the title to a continuance of any estate or property of such Corporate Body; but such estate and property shall vest in and be held by such Commissioners or such body to be so incorporated as aforesaid respectively, as fully and amply as the same might or would have been vested in or held by such Corporate Body if such Corporate Body had not been so dissolved.

21.
Dissolution of
Body Corpo-
rate not to
affect the title
to corporate
property.

And be it Enacted, That every Borough in the said Schedule (A.) shall be divided into the number of Wards mentioned in such Schedule in conjunction with the name of such Borough, and that the boundaries of the several Boroughs named in the said Schedule (A.) and of the Wards into which the said Boroughs named in the said Schedule (A.) are to be divided, shall, for the purposes of this Act, be taken to be according to the description of such boundaries set forth in Schedule (C.) to this Act annexed, and all the houses, lands and hereditaments within the boundaries therein specified shall hereafter for the purposes of this Act be parts of the said Boroughs; and in the construction of the several descriptions of boundaries set forth in the said Schedule (C.), the following rules shall be observed:

22.
Boundaries
of Boroughs
and Towns.

1.—The words “Northward,” “Southward,” “Eastward,” “Westward,” and the like, shall respectively be understood to denote only the general direction in which any boundary proceeds from the point last described, and not that such boundary shall continue to proceed throughout in the same direction to the point next described:

Rules for the
construction
of the De-
scriptions
contained in
the Schedule
(C.)

2.—When any road is mentioned merely by the name of the place to which such road leads, the principal road thither from the Borough of which the boundary is in course of description shall be understood:

3.—Whenever a line is said to be drawn from, to, through or in the direction of any distance to be measured from or to an

object, such line shall, in the absence of any direction to the contrary, be understood to be drawn from, to, through or in the direction of, or such distance to be measured from or to, the centre of such object, as nearly as the centre thereof can be ascertained :

5

4.—Every building through which, or through any part whereof, any boundary hereby established shall pass, shall be considered as within such boundary :

5. —Whenever any boundary by this Act established is said to pass along any other boundary, or along any street, road, lane, path, river, stream, canal, drain, brook or ditch, the middle (as near as the same can be ascertained) of such other boundary, or of such road, lane, path, river, stream, canal, drain, brook or ditch shall, in the absence of any direction to the contrary, be understood :

10

15

6.—The middle of any street, road or lane, shall be understood as the middle of the carriage-way along the same :

7.—When any boundary by this Act established is said to proceed, or any distance to be measured, along a street, road, lane, path, stream, river, canal or drain, from or to any object, such boundary shall be understood to proceed, or such distance to be measured, (as the case may be,) from or to that point in the middle of such road, lane, path, river, stream, canal or drain from which the shortest line would be drawn to the centre of such object, as nearly as the centre thereof can be ascertained :

20

25

8.—The point at which any fence, hedge, wall, boundary, street, road, lane, walk, path, river, stream, canal, drain, brook or ditch is said to cut, meet, join, cross, reach or leave any boundary, street, road, lane, path, wall, walk, river, stream, canal, drain, brook or ditch shall, in the absence of any direction to the contrary, be understood as that point at which a line passing along the middle of the one would be cut by a line drawn along the middle of the other, if such line were prolonged sufficiently far :

30

35

9.—When a line is said to be drawn to a road, lane, river, stream or canal, such line shall, in the absence of any direction to the contrary, be considered as prolonged to the middle of such road, lane, river, stream or canal :

10.—By the words “ Sea ” and “ Sea Coast ” shall be understood the low-water mark :

40

11.—If any deficiency shall be found to exist in the line of any boundary described in the said Schedule to this Act annexed, by reason of the intervention of any space between any two immediately consecutive points, such deficiency shall be supplied

plied

plied by a straight line to be drawn from the one to the other of such two immediately consecutive points.

And be it Enacted, That for the purposes of this Act all places locally situate or included within the boundaries of any Borough or of any Ward thereof, as defined under this Act, shall be deemed and taken to be a part or parts of such Borough or of such Ward thereof respectively; and in those Boroughs which are Counties of themselves shall for the purposes of this Act be part of such County and of none other: Provided always, That nothing in this Act contained shall alter or affect any city or county of a city, town or county of a town, or borough, or the boundaries thereof, for any purpose of Grand Jury presentment, or for any purpose of Parliamentary representation, or for any purpose relating thereunto; and that where it is or shall be necessary to describe any residence or premises or place in any oath, affidavit or document, or otherwise, as within a city, or county of a city, or town, or county of a town, such residence, premises or place may be described as within the Parliamentary boundaries of the city or town respectively.

23.
Places only included within the Boundaries for the purposes of this Act.

Provided also, and be it Enacted, That the jurisdiction of the several Courts of the Boroughs named in the said Schedule (A.) shall extend to all places within the limits and boundaries of such Boroughs as defined under this Act, and the jurisdiction of the several courts of civil jurisdiction shall also extend to all places within the limits and boundaries of such Boroughs and the liberties thereof as they are at present constituted, or are now taken to be, by virtue of any charter or usage.

24.
Jurisdiction of Courts extended to new Boundaries

And be it Enacted, That no misnomer or inaccurate description contained in this Act, or in the Schedule (C.) hereto annexed, shall in anywise prevent or abridge the operation of this Act, with respect to the subject of such description, provided the same shall be designated so as to be commonly understood; and that for the purpose of identifying the descriptions contained in the said Schedule with the subject of such descriptions respectively, such descriptions shall, if such construction should be necessary, be held to apply to such subjects as they existed on the First day of March One thousand eight hundred and Thirty-six.

25.
Misnomer or Misdescription not to abridge operation of this Act, and description to relate to 1st March 1836.

AND whereas it is expedient that the metes and bounds of the several Boroughs to which this Act may at any time apply, and of the several Wards into which the same are to be divided, as described in the Schedule (C.) to this Act annexed, or in any charter to be granted as hereinafter provided, be constantly maintained and generally known; BE it Enacted, That the Mayor of each of the said

26.
Mayor to set up Boundary Marks within Six Months after the first Election under this Act;

and with the Town Clerk to perambulate the Boundaries once in every Three Years thereafter.

Town Clerk to enter in Book to be kept for that purpose any change in the name or description of the Boundaries.

Mayor to replace any Boundary Marks effaced or destroyed.

27.
Mayor or Town Clerk neglecting, to forfeit 20 l.

28.
Penalty for defacing or injuring, &c. Boundary Marks.

Boroughs respectively, within Six calendar Months after the first election of Mayor in that Borough under this Act, shall cause to be set up, at the expense of the Body Corporate of which he is Mayor, permanent and conspicuous boundary marks of iron, wood, stone or other durable material, in exact conformity with, or as near as circumstances will admit, the respective metes and bounds of such Boroughs and the several Wards thereof, and in the most public and convenient places along or near the line of such metes and bounds; and further, within the period of Six calendar Months after the expiration of every successive period of Three Years thereafter, a circuit of perambulation of the metes and bounds of each of such Boroughs respectively, and of the several Wards into which the same is divided, shall be made by the Mayor, accompanied by the Town Clerk of such Borough; and the Town Clerk shall, at the time of making such perambulation, inquire whether the name or names whereby the same metes and bounds or any part thereof are or is described, have or has been changed, and by what name or description the same are or is there commonly known and distinguished, and if any change in the description thereof shall have taken place, shall note the same in a book to be kept by him for that purpose, and to be called the "Boundary Book" of such Borough; and the Mayor is hereby required, in the event of any such boundary mark or marks as aforesaid being obliterated or defaced, to cause the same to be renewed at the expense of the Body Corporate, within Three calendar Months next after such perambulation as aforesaid.

And be it Enacted, That every Mayor or Town Clerk who shall neglect to perform the duties hereinbefore described, shall forfeit the sum of Twenty Pounds, to be recovered by action in any one of the superior courts at Dublin, or by civil bill in any Court of Record having jurisdiction within such Borough respectively, by any person who shall sue for the same, one-half to be paid to the person who shall sue for the same, and the other half, after deducting the expenses of so suing, to be ascertained by such Court, to be paid to Her Majesty, Her heirs and successors.

And be it Enacted, That every person who shall wilfully or maliciously pull down, deface, obliterate, injure, conceal or destroy any such boundary marks as aforesaid, shall for every such offence forfeit and pay, in addition to the value of such boundary mark or marks as aforesaid, any sum not exceeding Forty Shillings, to be recovered, paid and levied according to the provisions in this Act contained relative to offences against this Act punishable upon summary conviction.

And

And be it Enacted, That the several Wards into which the several Boroughs in the Schedule (C.) to this Act annexed mentioned are by this Act respectively divided, shall henceforth be denominated and distinguished by the name and names by which in such Schedule such Wards are specified and described in conjunction with the names of such Boroughs respectively, and by no other name or names.

29.
Wards to be
denominated
by the names
in the
Schedules.

And be it Enacted, That in every Charter of Incorporation, to be granted in pursuance of the provisions of this Act, shall be described the Boundaries of the District to which the same is to extend, which shall be determined, as nearly as may be found convenient, according to the following Rules; (that is to say) such Boundary shall include only the ancient limits of the Town, in all cases in which such limits include all the buildings considered to form part of the Town, and a sufficient space to allow of the probable increase thereof; but when the streets or buildings extend beyond the ancient limits of the Town, such Boundaries shall be made to include the whole of such streets and buildings; and where there is a suburb near, but not contiguous to such Town, then in determining whether such suburb shall be included in the said Boundaries there shall be taken into consideration the extent and occupation of the ground which separates such suburb from the Town, and the nature and employment of the population of such suburb, and their connexion with the Town; and when the ancient Boundaries include a rural district, the Boundaries shall be confined to the Streets and Buildings, with a sufficient space to allow of the probable increase thereof, and shall not include such rural district; and every such Town shall be divided into wards, whenever the population thereof according to the last census or abstract of the population as aforesaid shall appear to exceed in number Eight thousand, and there shall be, as nearly as may be on an average, One Ward and Two Aldermen and Six Councillors to a population of every Four thousand persons, and in every case there shall be an even number of Aldermen, and the number of Councillors shall be Three times the number of Aldermen; and such Charter shall specify the number of wards (if any) into which the Town is to be divided, and the number of Aldermen and Councillors to be elected therein respectively.

30.
Charter to
describe
Boundaries
and Wards.

And be it Enacted, That upon the day to be named in such Charter, the powers and provisions in this Act contained shall be carried into effect in such manner as the Lord Lieutenant shall direct, and as nearly as may be in like manner as if such Town had been named in the Schedule (A.) to this Act annexed.

31.
This Act then
to come into
operation in
that Borough.

32.
Qualification
of Burgesses
and Voters at
elections
under this
Act.

And be it Enacted, That after this Act shall have come into operation, in every Borough named in the said Schedule (A.), and also in any Borough named in the said Schedule (B.), or other Town to which a Charter of Incorporation under this Act shall be granted as aforesaid, every person qualified as hereinafter mentioned shall, if duly enrolled according to the provisions hereinafter contained, be a Burgess of such Borough, and a member of the Body Corporate of the Mayor, Aldermen and Burgesses of such Borough; and in any Borough named in the said Schedule (B.) in which a Board of Municipal Commissioners is hereinbefore directed to be constituted, every person qualified as hereinafter mentioned shall be entitled to vote at the election of such Commissioners; (that is to say): during the first Three years next after this Act shall come into operation in any such Borough, every man of full age who, on the last day of August in any year, shall be an Inhabitant Householder, and shall for Six calendar Months previous thereto have been resident as such within such Borough, or within Seven statute Miles of such Borough, and who shall occupy within such Borough any house, warehouse, counting-house, office or shop: Provided always, That no such occupier shall be admitted to be enrolled as a Burgess, or to vote at any election of Municipal Commissioners under this Act, unless he shall have been rated in respect of such premises to the relief of the poor, and shall have occupied such premises within the said Borough, or other premises of the like nature within the said Borough, for the space of Six calendar Months at the least next preceding such last day of August, nor unless such occupier shall, on or before the last day of August in such year, have paid or discharged all rates for the relief of the poor, and all Grand Jury and Municipal cesses, rates and taxes, which shall have become payable by him in respect of such premises during his occupation thereof, except such as shall have become payable within Six calendar Months next before such last day of August: Provided always, That the premises in respect of the occupation of which any person shall be entitled to be so enrolled or to vote in any year, shall not be required to be the same premises, or in the same parish or union, but may be different premises, occupied in immediate succession by such person, in the same parish or union, or in different parishes or unions: Provided also, That during the first Three Years next after this Act shall have come into operation in any Borough named in the said Schedule (A.), and also in any Borough named in the said Schedule (B.), or other Town to which a Charter of Incorporation under this Act shall be granted as aforesaid, and in any Borough named in the said Schedule (B.) in which a Board of Municipal Commissioners.

sioners is hereinbefore directed to be constituted, no person shall be admitted to be enrolled as a Burgess, or entitled to vote at the election of such Commissioners, unless such house, warehouse, counting-house, office or shop which he shall so occupy, shall either
 5 separately or jointly with any land within such Borough occupied therewith by him as tenant, or occupied therewith by him as owner, be of the yearly value following; (that is to say) in any Borough named in the said Schedule (A.) of not less than Ten Pounds, and in any other Borough of not less than Eight Pounds, to be ascer-
 10 tained and determined as hereinafter mentioned; and such yearly value shall be ascertained and determined in manner following, and not otherwise; (that is to say) such value shall be a sum composed of the net annual value at which the premises so occupied by such man shall then be rated (as they are hereby required to be) to the
 15 relief of the poor under an Act passed in the Session of Parliament held in the first and second years of the reign of Her present Majesty, intituled, "An Act for the more effectual Relief of the destitute Poor in Ireland," and of the amount of the sums at which the landlord's repairs and insurance shall be estimated and stated in
 20 any rate to be made in pursuance of the said Act.

And be it Enacted, That after the expiration of the said period of Three Years next after this Act shall have first come into operation, every man of full age, who on the last day of August in any year shall have occupied any house, warehouse, counting-house or shop
 25 within any such Borough during that year, and the whole of each of the Two preceding years, and also during the time of such occupation shall have been an inhabitant householder within the said Borough, or within Seven statute Miles of the said Borough, shall, if duly enrolled in that year according to the provisions hereinafter con-
 30 tained, be a Burgess of such Borough, and member of the Body Corporate of the Mayor, Aldermen and Burgesses of such Borough, and shall be entitled to vote at the election of such Commissioners: Provided always, That the premises in respect of the occupation of which any person shall be so entitled to be enrolled need not be the
 35 same premises, or in the same parish or union, but may be different premises occupied in immediate succession by such person in the same parish or union, or in different parishes or unions.

33.
Qualification
of Burgesses
after Three
Years.

And be it Enacted, That no person shall be so enrolled as last aforesaid in any year, unless he shall have been rated in respect of
 40 such premises so occupied by him within the Borough to all Rates made for the relief of the poor of the parish or union wherein such premises are situated, during the time of his occupation as aforesaid, nor unless he shall have paid or discharged, on or before the last day of August as aforesaid, all Rates made for the relief of the poor, and

34.
Rates to be
paid up to
last day of
August by all
persons pre-
vious to enrol-
ment.

all Grand Jury and Municipal Cesses, Rates and Taxes payable by him in respect of the said premises, except such as shall have become payable within Six calendar Months next before the said last day of August.

35.
Premises giving the Municipal Franchise to be separately valued and rated for relief of the poor.

And be it Enacted, That whenever any tenement in any such Borough shall consist of a house, warehouse, counting-house, office or shop, or a house, warehouse, counting-house, office or shop occupied conjointly with land, such tenement shall be separately valued and rated in any valuation, and in any Rate made under such Act for the more effectual Relief of the Destitute Poor in Ireland. 5 10

36.
Public Notices to be give not Taxes payable in advance.

Provided always, and be it Enacted, That where in any Borough any cess, rate or tax is or shall be payable in advance, the Commissioners, Trustees or other persons by whom the same shall be imposed, or by whom any rate, assessment or order shall be made for imposing or levying the same, shall cause public notice thereof to be given by posting such notice for Three successive Days on some convenient place at or near every Court-house and Town Hall within such Borough, and by causing the same to be published in Three successive impressions or editions of some public newspaper published in such Borough, or in the City or Town nearest to such Borough in which a newspaper shall be published; and such cess, rate or tax shall not, for the purposes aforesaid of this Act, be deemed to have become payable until after the completion of the publication of such notice, and not before: Provided always, That nothing herein contained shall make any such cess, rate or tax payable before the time at which the same, if this Act had not been passed, would be payable by Law. 15 20 25

37.
Exceptions as to Aliens and Paupers.

And be it Enacted, That no person being an alien shall be so enrolled or vote, and that no person shall be enrolled or vote who within Twelve calendar Months next before the said last day of August shall have received relief by order of any Board of Guardians or of any paid officer to be appointed by virtue of the said Act for the relief of the poor, or any pension or charitable allowance from any fund intrusted to the charitable Trustees of such Borough hereinafter mentioned, other than medical or surgical assistance; but no person shall be disqualified from being enrolled as a Burgess or voting by reason that any child of such person shall have been admitted and taught within any public or endowed school. 30 35

38.
Occupiers may claim to be rated.

And be it Enacted, That in every Borough it shall be lawful for any person occupying any house, warehouse, counting-house, office or shop, to claim to be rated to the relief of the poor in respect of such premises, whether the landlord shall or shall not be liable to be rated to the relief of the poor in respect thereof; and upon such occupier 40

occupier so claiming and actually paying or tendering to the collector thereof, or to the person or persons entitled to receive the same, the full amount of the last-made rate then payable in respect of such premises, the guardians or other persons charged with making any rate for the relief of the destitute poor which shall or ought to include such premises, are hereby required to put the name of such occupier upon the rate for the time being; and in case any such guardians or other persons shall neglect or refuse so to do, such occupier shall nevertheless, for the purposes of this Act, be deemed to have been rated to the relief of the poor in respect of such premises, from the period at which the rate shall have been made in respect of which he shall have so claimed to be rated as aforesaid: Provided always, That where by virtue of any Act of Parliament the landlord shall be liable to the payment of the rate for the relief of the poor in respect of any premises occupied by his tenant, nothing herein contained shall be deemed to vary or discharge the liability of such landlord; but in case the tenant who shall have been rated for such premises in consequence of any such claim as aforesaid, shall make default in the payment of the poor's rate payable in respect thereof, such landlord shall be and remain liable for the payment thereof in the same manner as if he alone had been rated in respect of the premises so occupied by his tenant.

And be it Enacted, That where any premises as aforesaid in any such Borough shall be jointly occupied by more persons than one, as owners or tenants, each of such joint occupiers shall, subject to the conditions hereinbefore contained as to persons occupying premises in any Borough, be entitled to be enrolled as a Burgess for such Borough, or to vote as aforesaid in respect of the premises so jointly occupied, during the first Three Years next after this Act shall come into operation in such Borough, in every case where the value of such premises, to be ascertained and determined as aforesaid, shall be of an amount which, when divided by the number of such occupiers, shall give for each occupier a sum not less than the sum which would entitle such person to be enrolled, or to vote as aforesaid, if he occupied separately, but not otherwise.

And be it Enacted, That in every case provided in this Act the distance of Seven Miles shall be computed by the nearest public road or way by land or water.

And be it Enacted, That where any house, warehouse, counting-house, office or shop in any such Borough shall come to any person by descent, marriage, marriage settlement, devise, bequest or promotion to any benefice or office, such person shall be entitled, in the year in which this Act shall first come into operation in that Borough,

39.
In cases where persons occupy Premises jointly, each person to be entitled to be enrolled as a Burgess.

40.
How distances are to be reckoned.

41.
In cases of Titles by descent, &c. how the occupation is to be reckoned.

to reckon the occupancy, and in each succeeding year to reckon the rating and occupancy thereof by the person from or by whom such house, warehouse, counting-house, office or shop shall have so come to him as his own rating and occupancy, conjointly with the time during which he shall have since occupied and been rated for the same, and shall be entitled to be enrolled a Burgess, or to vote as aforesaid in respect of such successive rating and occupancy, provided he shall be otherwise qualified as herein provided; and it shall not be necessary, in support of the title of such person to be so enrolled or to vote as aforesaid, to prove that he was an inhabitant householder within the said Borough, or within Seven Miles of the said Borough, or that he was an occupant or rated within the same, before the title to such house or other property as aforesaid shall have devolved upon him; and the rating in the name of the person previously occupying shall be considered a sufficient rating of the person so entitled, until a new rate shall be made subsequent to such devolution of title as aforesaid: Provided always, That the other person in respect of whose previous occupancy and rating he shall be so partially entitled shall have been enrolled a Burgess or to vote as aforesaid at the time of such devolution of title as aforesaid.

42.
No Burgess to be elected who is not qualified under this Act.

And be it Enacted, That after the passing of this Act no person shall be elected or enrolled a Burgess of any Borough for the purpose of enjoying the rights conferred for the first time by this Act in respect of any right or title other than by residence, occupancy, rating and payment of cesses, rates and taxes respectively, within such Borough, according to the meaning and provisions of this Act.

43.
Occupiers, notwithstanding paying Rates, may recover or set off the assessment against the party chargeable with the same.

And be it Enacted, That in all cases where the occupier of any tenement hereinbefore mentioned, shall have paid any cess, rate or tax, the payment whereof is required by this Act for the purpose of entitling him to be enrolled a Burgess or to vote as aforesaid, which cess, rate or tax shall by virtue of any contract or arrangement of which such occupier shall be entitled to the benefit, be payable by or chargeable upon any other person or persons, the occupier who shall so pay the same shall be entitled to recover or set off the amount of such payment against the person or persons so liable or chargeable, upon proof being made of such contract or arrangement, and of such occupier being entitled to the benefit of the same.

44.
Persons claiming bonâ fide exemption from Taxes, entitled to be enrolled as Burgesses on payment or tender of one

And be it Enacted, That if any person in any of the Boroughs aforesaid shall claim to be entitled to be placed on the Burgess Roll thereof, and shall also claim to be exempt from the payment of any cess, rate or tax payable in such Borough, the payment whereof is by this Act required to entitle a person to be placed on the Burgess Roll, it shall be lawful for the Barrister, or Mayor and

and Assessors (whose duty it shall be, under the provisions of this Act, to revise the Burgess List or Roll on which such person seeks to be placed), to inquire and determine whether such claim of exemption is a bonâ fide claim, or merely colourable; and if such

5 Barrister or Mayor and Assessors shall determine that such claim is made bonâ fide, and is not a merely colourable claim, then and in every such case it shall be lawful for such Barrister or Mayor and Assessors, and they are respectively hereby required, to place the name of such person on the Burgess List or Roll, on payment or tender of one year's

10 amount of such cess, rate or tax to the collector thereof, by such person: Provided always, That such payment or tender shall not, in any respect, prejudice or affect the right of such person to exemption from the payment of any part of such cess, rate or tax, in case he shall not be liable to the same, and shall not in any respect vary,

15 discharge or affect the liability of such person to pay the whole amount of the arrears of such cess, rate or tax which shall be then due, or the remedies for the recovery thereof, in case he shall be liable to the same: Provided also, That such person shall be entitled to recover back the sum which he shall have so paid, if his claim

20 to be so exempt be well founded, and if such sum be withheld after demand made for repayment of the same.

year's tax, but to remain liable to arrears if the claim to exemption be not well founded.

And be it Enacted, That the rates, cesses and taxes specified in Schedule (F.) to this Act annexed, or such of them as shall be payable in any Borough, shall be and be deemed the rates, cesses and

25 taxes within the meaning of this Act, the payment whereof shall be necessary to entitle a person to be placed on the Burgess Roll of or to vote in any such Borough; and no rate, cess or tax not specified in said Schedule (F.) shall be deemed a rate, cess or tax the payment whereof shall be necessary to entitle a person to be placed on any

30 Burgess Roll, or to vote as aforesaid.

45. Declaring that what Taxes shall be payable in any Borough.

And be it Enacted, That after this Act shall come into operation in any Borough, the Guardians, Commissioners, Trustees or other persons who shall be entitled to receive or to cause to be collected any Cess, Rate or Tax, the payment whereof is required by this Act

35 for the purpose of entitling any occupier to be enrolled as a Burgess or to vote in any Borough as aforesaid, or the Collector of such Cess, Rate or Tax, shall, One calendar Month at least before the Thirty-first day of August in each year, open or cause to be opened, in some convenient place within such Borough, an Office for receiving payment

40 thereat of such Cess, Rate or Tax, and shall cause such Office to be kept open for that purpose on every day (Sunday excepted), between the hours of Ten of the clock in the forenoon and Four of the clock in the afternoon, and shall cause a Collector or other officer to attend at such office, to receive such Cess, Rate or Tax; and in case

46. Office for receiving Taxes to be kept open for One Month before Thirty-first August in each year.

no such office shall be so kept open, or in case such Collector or other officer shall not attend thereat for the purpose aforesaid, it shall be lawful for any occupier liable to any such Cess, Rate or Tax, to pay or tender the same to the Treasurer of such Borough, or if there be no such Treasurer, to the Mayor; and such payment or tender shall be deemed a sufficient payment of such Rate, Cess or Tax, for the purpose only of entitling the occupier so liable, and who shall have made such payment or tender, to be enrolled as a Burgess or to vote as aforesaid; and the amount so paid shall with all convenient speed be paid over by such Treasurer or Mayor to the person entitled to collect or receive such Cess, Rate or Tax; and the amount so paid shall thereupon be credited to the occupier so liable, and who shall have so paid the same: Provided always, That in case such Treasurer or Mayor shall not so pay over the amount so paid to him, and such occupier shall by reason of such default of such Treasurer or Mayor be compelled to pay the same or any part thereof to the person entitled to collect or receive such Cess, Rate or Tax, such occupier shall be entitled to recover from such Treasurer or Mayor the amount which he shall have so paid, together with a sum of One Pound as a penalty for such default, and to sue for and recover the same, with costs, by Civil Bill, before the Recorder of such Borough, or before the Assistant Barrister having jurisdiction within such Borough.

47.
Churchwardens of each Parish to make out Lists in the first year of persons qualified as Burgesses in each Borough.

And be it Enacted, That on or before the Fifth day of September in the First year in which this Act shall come into operation in any Borough divided into Wards, according to the provisions and directions herein contained, the Churchwardens of every Parish wholly or in part within any Ward of such Borough shall make out, from the assessment to be made of hereditaments within such Parish and Borough under the said Act for the Relief of the Destitute Poor, alphabetical Lists, according to the Form Number 1, in the Schedule (D.) to this Act annexed, of all persons, with their respective residences, who shall be entitled to be enrolled in the Burgess Roll according to the provisions of this Act, in respect of property within such Parish and Ward, and shall sign such Lists, and deliver the same on the said Fifth day of September to the Town Clerk, and shall keep a true copy of such Lists, to be perused by any person, without payment of any fee, at all reasonable hours between the said Fifth and the Fifteenth days of September aforesaid.

48.
Town Clerks to make out Lists in each Borough in the following years

And be it Enacted, That on or before the Fifth day of September in every year except the first in which this Act shall come into operation in any Borough, the Town Clerk of such Borough shall make out, in like manner, alphabetical Lists, according to the said Form Number 1, in the Schedule (D.) to this Act annexed, of all persons who shall be entitled to be enrolled in the Burgess Roll of that year within each

each Ward of such Borough, and shall sign such Lists, and shall on that day deliver a true copy of such Lists, signed by himself, to the Mayor of such Borough, and shall himself keep such original Lists to be perused by any person, without payment of any fee, at all reasonable hours between the Fifth and the Fifteenth days of September in every year.

And be it Enacted, That the several and respective Collectors of the Poor Rates, and of all Grand Jury and Municipal Cesses, Rates and Taxes, payable within any Borough in which this Act shall come into operation, shall, on or before the Third day of September in every year, make out or cause to be made out, according to the Form numbered 6 in the said Schedule (D.) to this Act annexed, an alphabetical List of all persons who shall be subject to the payment of such Poor-rate, Cesses, Rates or Taxes within the limits of such Borough, and within the collection of the person by whom or by whose direction the same shall be made out; and every such Collector shall sign the List so to be made out for his collection, and shall cause a true Copy of such List to be prepared, and shall keep the same, to be perused by any person, without payment of any Fee, at all reasonable hours during the Ten Days next after the same Third day of September; and every such Collector shall on the same Third day of September deliver the List so signed by him as aforesaid to the Town Clerk of such Borough; and such Town Clerk shall forthwith cause to be printed true Copies of every such List, and shall deliver One or more of such respective printed Copies to any person applying for the same, on payment of a reasonable price for each Copy, not exceeding the sum of One Shilling for each Copy.

49.
Collectors to make Lists of Persons subject to payment of Poor Rate, &c. according to Schedule (D.) No. 6. in this Act.

And be it Enacted, That the Town Clerk shall forthwith cause copies to be printed of all Lists so delivered to him by the Churchwardens in the first year, and of all Lists made out by himself or under his direction in every succeeding year, and shall deliver a copy of all such Lists to any person requiring the same, on payment of a sum of One Shilling for each copy, and shall cause a copy of all such Lists to be fixed on or near the outer door of the Town Hall, or in some public and conspicuous situation within the Borough, on every day during the Eight Days next preceding the Fifteenth day of September in every year.

50.
Town Clerk to print the Lists.

And be it Enacted, That every person whose name shall have been omitted in any such List, and who shall claim to have his name inserted on the Burgess Roll, shall, on or before the Fifteenth day of September in every year, give notice thereof to the Town Clerk in writing, according to the Form Number 2, in the said Schedule (D.), or to the like effect; and every person whose name shall have been in-

51.
Persons omitted from the Lists to give Notice to the Town Clerk.

Notices as to
Persons not
entitled to be
retained in
the Lists.

Lists of
Claimants,
and of Persons
objected to, to
be published,
&c.

serted in any such List for any Borough may object to any other person as not being entitled to have his name retained in the Burgess Roll for the same Borough ; and every person so objecting shall, on or before the Fifteenth day of September in every year, give to the Town Clerk of such Borough, and also to the person objected to, or leave at the premises in respect of which his name shall have been inserted in such List, notice thereof in writing according to the Form Number 3, in the said Schedule (D.), or to the like effect ; and every Town Clerk shall include the names of all persons so claiming in a List according to the Form Number 4, in the said Schedule (D.), and the names of all persons so objected to in a List according to the Form Number 5, in the said Schedule (D.), and shall cause copies of such Lists to be fixed on or near the outer door of the Town Hall, or in some public and conspicuous situation within such Borough during the Eight Days next preceding the First day of October in every year ; and the Town Clerk shall likewise keep a copy of the names of all the persons so claiming as aforesaid, and also a copy of the names of all persons so objected to as aforesaid, to be perused by any person, without payment of any fee, at all reasonable hours, during the Eight Days, Sunday excepted, next preceding the First day of October in every year, and shall deliver a copy of each of such Lists to any person requiring the same, on payment of a sum not exceeding One Shilling for each copy.

52.
Lord Lieu-
tenant may
appoint Re-
vising Barris-
ters for the
present year

And be it Enacted, That it shall be lawful for the Lord Lieutenant of Ireland to appoint by warrant under his hand so many Barristers of not less than Five Years' standing at the Bar as he shall think fit to revise the List of Burgesses, and to hold any such elections as are herein directed in any Borough in the first year in which this Act shall come into operation in that Borough ; and the Barrister so appointed shall, for that purpose, be in the place and stead of the Mayor and Assessors hereinafter mentioned of such City, Town or Borough, and shall revise the List of Burgesses, and have for that purpose all such powers as the Mayor and Assessors will possess in the succeeding years.

53.
Mayor to
revise Lists,
and upon due
proof to insert
and expunge
Names.

And be it Enacted, That in the first year in which this Act shall come into operation in any such Borough, the Barrister appointed as aforesaid, and in every succeeding year the Mayor and the Two Assessors hereinafter mentioned of the Borough, shall hold an open Court within such Borough for the purpose of revising the said Lists, at some time between the First day of October inclusive and the Fifteenth day of October inclusive in every year, having first given Three clear Days' notice of the holding of such Court, to be fixed on or near the door of the Town Hall, or in some public and conspicuous situation within the Borough ; and the
Town

Town Clerk of every such Borough shall at the opening of the Court produce the said Lists before him or them, and a copy of the Lists of the persons claiming and of the persons objected to, so made out as aforesaid; and the several Churchwardens for such first
5 year of every parish wholly or in part within every such Borough shall attend the Court to be holden in such first year; and such Town Clerk and Churchwardens respectively shall answer upon oath all such questions as the Court may put to them or any of them touching any matter necessary for revising the said Lists; and the Mayor
10 or Barrister, as the case may be, shall insert in such Lists the name of every person who shall be proved to the satisfaction of the Court to be entitled to be enrolled in the Burgess Roll according to the provisions of this Act, and shall retain on the said Lists the names of all persons to whom no objection shall have been
15 duly made and sustained; and where the name of any person inserted in any one of the said Lists shall have been duly objected to, and the person objecting shall appear by himself or by some one on his behalf in support of such objection, the Court shall require proof of the qualification of the person so objected to;
20 and in case the qualification of such person shall not be proved to the satisfaction of the Court, the Mayor or Barrister, as the case may be, shall expunge the name of every such person from the said Lists; and he shall also expunge from the said Lists the name of every person who shall be proved to be dead, and shall
25 correct any mistake or supply any omission which shall be proved to have been made in any of the said Lists in respect to the name or place of abode, or local description of the property of any person who shall be included in any such List: Provided always, That no person's name shall be inserted by the Mayor or Barrister in
30 any such List, or shall be expunged therefrom, except in the case of death, unless notice shall have been given as is hereinbefore required in each of the said cases: Provided also, That the fact of the name of any person having been on the Burgess Roll of the preceding year shall be *prima facie* evidence of his title to be enrolled
35 for the current year.

Power to rectify mistakes in the Lists.

And be it Enacted, That every Mayor or Barrister holding any Court under this Act for the revision of the said Lists shall have power to adjourn the same from time to time, so that no such adjourned Court shall be held after the Fifteenth day of October in
40 any year, and shall have power to require any High Constable, Churchwarden or other person authorized to applot, collect or levy any rate for the relief of the poor, cess, rate or tax within the Borough or within any Parish wholly or in part within the Borough, or other person or persons having the custody of any book of applotment or rate of valuation, to produce the same, and allow the same to be

54.
Mayor, on revising the Lists, to have power of adjourning, of administering Oaths, &c., and shall settle and sign the Lists in open Court.

inspected at any Court to be held for the revision of the Burgess Roll, and shall have power to administer an oath to the Town Clerk and Churchwardens, and to all persons claiming to be inserted in or making objection to the omission or insertion of any name in the said Lists, and to all persons objected to in any of such Lists, and to all persons claiming to have any mistake in any such Lists corrected, and to all witnesses who may be tendered or examined on either side; and if any person taking any oath or making any affirmation under this Act shall wilfully swear or affirm falsely, such person shall be deemed guilty of Perjury, and shall be punished accordingly; and the Mayor and Assessors or Barrister shall, upon hearing in open Court, determine upon the validity of such claims and objections; and the Mayor or Barrister shall, in open Court, write his initials against the names respectively struck out or inserted, and against any part of the said Lists in which any mistake shall have been corrected, and shall sign his name to every page of the several Lists so settled.

55.
Borough List
to be kept by
the Town
Clerk, and
copied into
Books, with
the Names
numbered.

And be it Enacted, That the Lists so revised and signed as last aforesaid shall be delivered by the Mayor or Barrister to the Town Clerk of such Borough, who shall keep the same, and shall cause the said Lists to be fairly and truly copied into one general List in a book to be by him provided for that purpose, arranged alphabetically, in each Ward, with every name therein numbered, beginning the numbers from the first name in the first Ward, and continuing them in a regular series to the last name in the last Ward, and shall cause such Book to be completed on or before the Twenty-second day of October in every year, and shall deliver such Book, together with the Lists, at the expiration of his office, to the person succeeding him in such office; and every such Book shall be the Burgess Roll of the Burgesses of such Borough entitled to vote after the passing of this Act in the choice of the Aldermen and Councillors, Assessors and Auditors of such Borough as hereinafter mentioned, at any election which may take place in such Borough between the Twenty-fifth day of October inclusive in the year wherein such Burgess Roll shall have been made and the Twenty-fifth day of October in the succeeding year, or until a new Burgess Roll shall have been made.

Such Book to
be the Regis-
ter of Voters
from which
Election shall
be made.

56.
No Stamp
Duty payable
on Enrolment.

And be it Enacted, That no Stamp Duty shall be payable in respect of the admission, registry or enrolment of any Burgess according to the provisions of this Act.

57.
Applications
may be made
to the Court
of Queen's

And be it Enacted, That it shall be lawful for any person whose claim shall have been rejected or name expunged at the revision of the Burgess Roll of any of the said Boroughs to apply before the end of

Bench in
Ireland for a
Mandamus
to put a
Burgess on
the Roll.

of the Term then next following to the Court of Queen's Bench in
Ireland for a Mandamus to the Mayor for the time being of that Borough
to insert his name upon the Burgess Roll for such Ward as shall be
named in the application, and thereupon for the Court to inquire into
5 the title of the applicant to be so enrolled; and if the Court shall
award such Mandamus, the Mayor shall be bound to insert the name
at the end of the Burgess Roll, with the addition of the Ward for
which such name is so ordered to be inserted, and shall add thereunto
the words "By Order of the Court of Queen's Bench," and shall sub-
10 scribe his name to such words; and the Town Clerk shall be bound
to produce the said Burgess Roll to the Mayor for that purpose; and
thereupon the person whose name shall be so added to the Burgess
Roll shall be deemed a Burgess, and entitled to vote and act as a
Burgess in all respects as if his name had been put upon the Burgess
15 Roll in that ward by the Barrister or Mayor and Assessors; and
upon every such application the Court shall have power to make
such Order with respect to the Costs as to the Court shall seem fit.

And be it Enacted, That after the passing of this Act every appli-
cation to the Court of Queen's Bench in Ireland for the purpose of
20 calling upon any person to show by what warrant he claims to exer-
cise the office of Mayor, Alderman or Councillor in any Borough,
shall be made before the end of the term following next but one
after the election of the person against whom such application shall
be directed, or after the time when such person shall have become
25 disqualified, and not at a subsequent time.

58.
Applications
for Quo
Warranto to
be made
within the
Term next
but one after
Election.

And be it Enacted, That after the passing of this Act, in case
no election shall be made of any Mayor or any of the Alder-
men, Councillors or other Corporate Officers, in any Borough,
upon the day or within the time appointed by this Act for such
30 election, or such election being made shall afterwards become
void, whether such omission or avoidance shall occur through
the default of the Officer or Officers who ought to preside at
such election, or by any other means or accident whatsoever, the
Corporation shall not thereby be deemed to be dissolved or disabled
35 from electing such Mayor, Alderman or Councillor, or other Corpo-
rate Officer for the future; but in case where no such election shall
be made as aforesaid, the election for any such Mayor, Alderman,
Councillor or other Corporate Officer may be had, held or proceeded
with upon the day next after the day on which such election ought
40 to have been made, unless such day shall happen to be a Sunday, and
then upon the Monday following; and every act necessary to be
done in order to and for the completing such election shall and
may be then done, and the same shall be as effectual and valid for
all purposes as if the election had been made on the proper day
appointed for that purpose.

59.
Corporations
not to be-
come extinct
by reason of
Election not
being held on
appointed
Days.

60.
Provisions of
Act of Irish
Parliament,
19 Geo. 2.,
extended to
Elections
under this
Act.

And be it Enacted, That after the passing of this Act all the powers, authorities and jurisdictions by an Act passed in the Parliament of Ireland in the nineteenth year of the reign of King GEORGE the Second, intituled, "An Act for the better Regulation of Corporations," given to Her Majesty's Court of Queen's Bench in Ireland, in cases where no election shall be made of the Mayor, Bailiff or Bailiffs, or other chief Officer or Officers of Cities, Boroughs or Towns Corporate, upon the day or within the time appointed by charter or usage for that purpose, and that no election is made pursuant to the directions in that Act and hereinbefore prescribed, or that such election being made shall afterwards become void, as in that Act mentioned, shall be and the same are hereby extended to all cases in which no election shall be made of any Mayor, Alderman, Councillor or other Corporate Officer or other person, to any Corporate Office, on the day or within the time appointed for any such election under the provisions of this Act; and the said Court of Queen's Bench is hereby empowered in all such cases to make such orders, and to do all other acts, matters and things in respect thereof, as fully and effectually as the said Court is now by law authorized in any other cases of making orders for the election of any Officers of Corporations; and the election to be held under any such Order shall be held and the proceedings thereupon conducted within the Borough in the same manner and under the like regulations and provisions as are in said Act of his Majesty King GEORGE the Second enacted and provided.

61.
Penalty for
wilfully
and corruptly
expunging or
not inserting
any Name.

And be it Enacted, That if any such Mayor or Assessor shall wilfully and corruptly disallow the claim of any person who shall be duly entitled, or wilfully and corruptly allow the claim of any person who shall not be duly entitled to be enrolled on the Burgess Roll, or if any such Mayor shall wilfully and corruptly expunge the name of any person duly entitled, or wilfully and corruptly insert or retain in such List the name of any person who shall not be duly entitled to be enrolled on such Burgess Roll, every Mayor or Assessor so offending shall be liable to be sued by way of civil bill in an action of debt for the penal sum of Fifty Pounds for every name so wilfully and corruptly allowed, disallowed, expunged, inserted or retained, at the suit of any Burgess of the said Borough who shall sue for the same in the Court of the Assistant Barrister, Chairman or Recorder having jurisdiction by way of civil bill within such Borough; and the Defendant in such action respectively, being convicted, shall pay such penal sum so awarded, with full costs of suit, to the party who may sue for the same; and if any Mayor, Town Clerk or Churchwarden shall wilfully neglect to make out such Lists, or wilfully omit the name of any person which ought to be inserted thereon, or wilfully insert in or retain on such Lists the name of any

Mayor, Town
Clerk, or
Church-
warden neg-
lecting duty,
guilty of
Misdemeanor.

any person which ought not to be inserted thereon, or wilfully neglect or refuse to perform the duties or any part thereof by this Act imposed upon him or them respectively, he shall be deemed guilty of a Misdemeanor, and may be indicted and punished accordingly.

5 And be it Enacted, That the Town Clerk of every Borough named in the said Schedule (A.) shall cause to be written or printed copies of the Burgess Roll in every year, and shall deliver such copies to all persons applying for the same, on payment of a reasonable price for each copy, not exceeding the sum of Three-pence for every hundred names, and so in proportion for any lesser number; and the monies arising from the sale thereof, and of the Churchwardens' and Town Clerks' Lists, and of the Lists of Claims and Objections as aforesaid, shall be paid over to the Treasurer of such Borough, and shall be applied by him in aid of the Borough Fund hereinafter mentioned.

62.
Copies of
Burgess Roll
to be made
for Sale.

15 And be it Enacted, That the Council of every Borough named in the said Schedule (A.) shall take an account of the reasonable expenses incurred in carrying into effect the several provisions of this Act, so far as relates to the said Lists, and shall order the Treasurer of such Borough to pay the same out of the Borough Fund of the said Borough.

63.
Expenses of
Lists how to
be defrayed.

20 And be it Enacted, That in every Borough named in the said Schedule (A.), and in every Borough named in the said Schedule (B.), or other Town to which a Charter of Incorporation shall be granted as aforesaid, there shall be elected, at the time and in manner hereinafter mentioned, One fit Person, who shall be and be called "The Mayor" of such Borough; and in the different Wards of every such Borough there shall be elected at the time and in the manner hereinafter mentioned a certain number of fit persons, who shall be and be called "The Aldermen" of such Borough, and a certain number of other fit persons, who shall be and be called "The Councillors" of such Borough; and in every Borough named in the said Schedule (A.) the number of persons to be so elected Aldermen and Councillors of such Borough shall be the number of persons in that behalf mentioned in conjunction with the name of such Borough in the Schedule (A.) to this Act annexed; and such Mayor, Aldermen and Councillors for the time being, or so many of them as shall at any time be elected and have accepted the offices, shall be and be called "The Council of such Borough;" and in every such Borough to which no Charter of Incorporation shall be granted as aforesaid, and in which Municipal Commissioners of such Borough shall be constituted under this Act, there shall be elected at the time and in manner hereinafter mentioned, One fit Person who shall be and be called "The Chairman of the Municipal Commissioners" of such Borough.

64.
Mayor, Aldermen and
Councillors to
be chosen in
every Borough.

65.
Who not
qualified to be
chosen Mayor,
Alderman or
Councillor, or
Commissioner.

And be it Enacted, That no person being in Holy Orders, or being the regular Minister of any Dissenting Congregation, shall be qualified to be elected, or to be a Councillor or an Alderman, or a Municipal Commissioner of any Borough ; nor shall any person be qualified to be elected or to be a Councillor or an Alderman of any Borough named in said Schedule (A.) to this Act annexed, who shall not be on the Burgess List of such Borough, nor unless he shall be seised or possessed of real or personal estate, or of both of the clear value of One thousand Pounds above what will satisfy his debts, or shall occupy, and shall for Twelve calendar Months next previous have occupied, a house rated for the relief of the poor at the net annual value of Twenty Pounds or upwards, situate within the Borough ; nor shall any person be qualified to be elected, or to be a Councillor or an Alderman of any Borough named in the said Schedule (B.), or other town to which a Charter shall have been granted as hereinbefore is mentioned, who shall not be on the Burgess List of the Borough for which he is elected, nor to be elected or to be such Councillor or Alderman, or a Municipal Commissioner of any Borough, unless he shall be seised or possessed of real or personal estate, or of both, of the clear value of Five hundred Pounds above what will satisfy his debts, or shall occupy, and shall for Twelve calendar months next previous have occupied, a house situate within the Borough, and rated, as aforesaid, at the net annual value of such sum, not more than Twenty Pounds and not less than Twelve Pounds, as to Her Majesty, with the advice of Her Privy Council, shall seem fit, to be specified in such Charter ; nor shall any person be qualified to be elected, or to be a Councillor or an Alderman, or a Municipal Commissioner of any such Borough, during such time as he shall hold any office or place of profit, other than that of Mayor, in the gift or disposal of the Council, Commissioners, or charitable Trustees of such Borough, or while he is an uncertificated bankrupt, or during such time as he shall have, directly or indirectly, by himself or his partner, any share or interest in any contract or employment with, by or on behalf of such Council, Commissioners, or charitable Trustees : Provided, That no person shall be disqualified from being a Councillor or Alderman or Commissioner of any Borough as aforesaid by reason of his being a proprietor or shareholder of or in any Company which shall contract with the Council or Commissioners of such Borough for lighting or supplying with water any part of the said Borough, or insuring against fire any property therein.

66.
Burgesses to
vote for the
Councillors or
the Ward in
which their
Property is
situate

And be it Enacted, That every Burgess of any Borough divided or to be divided into Wards, according to the provisions and directions herein contained, shall be entitled to vote in the election of the Aldermen and Councillors to be chosen within that Ward in which some

some part of the property of such Burgess in respect of which he is enrolled on the Burgess Roll for the time being of such Borough shall appear to be situated, and not otherwise, and no other person shall be entitled to vote in the election; and in case it shall happen
 5 that any Burgess shall be entitled to be enrolled in respect of property in Two or more Wards, then he shall, if otherwise duly qualified according to the provisions of this Act, be enrolled and vote in such one, but not more than one, of the said Wards as he shall at the time of his enrolment select, by writing under his hand delivered
 10 to the Town Clerk, or left at his office on or before the Fifth day of September in any year, or in default of his selection as the Mayor shall determine.

And be it Enacted, That on the Twenty-fifth day of October in the first year in which this Act shall come into operation in any
 15 such Borough as last aforesaid, the Burgesses in every Ward of every such Borough shall elect from among the persons qualified to be Councillors of such Borough the number of persons mentioned in the Schedule (A.) to this Act annexed, or in such Charter as aforesaid, as the case may be, in conjunction with such Ward, as
 20 the number of Aldermen and Councillors of the said Borough to be elected in such Ward; and One-fourth part of the persons so elected, being those who shall have the greatest number of votes, shall be the Aldermen of the said Ward, and the remaining Three-fourths shall be the Councillors of such Ward; and in case an equal number
 25 of votes shall be given for any Two or more persons, any of whom but for such equality would be Aldermen, or where there shall be no contest, the majority of the whole Council shall determine which of such persons having an equal number of votes shall be Alderman or Aldermen.

67.
 Directing the election of Aldermen and Councillors.

And be it Enacted, That upon the Twenty-fifth day of October in every year following that in which this Act shall come into operation in any Borough, One-third part of the number appointed as aforesaid to be the whole number of the Councillors of every Ward of such Borough shall go out of office, and the Burgesses
 35 then enrolled in the Burgess Roll for such Ward shall elect the number of Councillors needed to supply the vacancies thereupon existing in the number of Councillors; and those who shall so first go out of office shall be the Councillors who were elected under the provisions of this Act by the smallest numbers of votes
 40 at the first election, and in the next year those who shall go out of office shall be the Councillors who were elected under the provisions of this Act by the next smallest numbers of votes at the first election, the majority of the whole Council always determining when the votes for any such persons shall have been equal, or,

68.
 One-third part of the Council to go out of Office annually

when there shall have been no contest, who shall be the persons so to go out of office; and thereafter those who shall so go out of office shall always be the Councillors who have been for the longest time in office without re-election: Provided always, That any Councillor so going out of office shall be capable of being forthwith re-elected, if then qualified as herein provided. 5

69.
One-half the
number of the
Aldermen to
go out of
office every
Three Years.

And be it Enacted, That on the Twenty-fifth day of October in every Third year after the year in which this Act shall come into operation in any Borough, except in Dublin, Kilkenny and Clonmell, One of the Aldermen of every Ward shall go out of office, and the Burgesses then enrolled in the Burgess Roll for that Ward shall elect an Alderman to supply the vacancy; and in the City of Dublin the Burgesses of each of the Nine southern Wards and Six northern Wards alternately shall separately elect in each Third subsequent year the Alderman of that Ward, and in each of the Boroughs of Kilkenny and Clonmell the Burgesses of each Ward alternately shall separately elect in each third subsequent year the Aldermen of that Ward, and the Council of each of the three last-mentioned Boroughs shall determine in which Ward or Wards the Alderman or Aldermen shall be first re-elected; and the Alderman or Aldermen first elected in the Ward or Wards so determined upon by the Council shall go out of office at the end of Three Years after their election; and the Alderman of every Ward of every other Borough who shall so first go out of office shall be the Alderman who was elected in that Ward by the smallest number of votes at the First election; the majority of the Council determining when the votes for any such person or persons shall have been equal, or, in case there shall have been no contest, who shall be the Alderman or Aldermen first to go out of office; and thereafter those who shall go out of office shall always be those who have been Aldermen for the longest time without re-election: Provided always, That any Alderman on going out of office may be forthwith re-elected if then qualified. 10 15 20 25 30

70.
When day
of Election
falls on a
Sunday.

And be it Enacted, That whenever any day appointed by this Act as a day of Election, or for doing any act in any year, shall happen on a Sunday, in every such case the election shall be holden and the act done on the following Monday. 35

71.
Elections how
to be held.

And be it Enacted, That the first election of Aldermen and of Councillors within any Ward according to the provisions of this Act shall be holden before the Barrister to be appointed by the Lord Lieutenant to revise the Lists of Burgesses as aforesaid, or the person whom the said Barrister shall appoint for that purpose in such Ward respectively, and such Barrister or other person shall for that purpose be 40

be in the place and stead of the Alderman and Assessors, and shall have all such powers as the Alderman and Assessors will possess in the subsequent elections ; and every subsequent election of Aldermen or of Councillors within any Ward according to the provisions of this Act shall be holden before an Alderman and the Assessors for the time being of such Ward, except as herein is excepted, the senior Alderman presiding when there is more than one ; and the voting at every such election shall commence at Nine of the clock in the Forenoon, and shall finally close at Four of the clock in the Afternoon of the same day, and shall be conducted in manner following ; (that is to say) every Burgess entitled to vote in the election may vote for any number of persons not exceeding the number of Aldermen or Councillors then to be chosen, by delivering to the Mayor or Barrister, or Alderman or person appointed as aforesaid (as the case may be), a Voting Paper containing the christian names and surnames of the persons for whom he votes, with their respective places of abode and descriptions, such Paper being previously signed with the name of the Burgess voting, and with the name of the street, lane or other place in which the property in respect of which he is enrolled is situated.

Mode of
voting.

And be it Enacted, That at every election under this Act in any Borough, the Mayor or Barrister, or Alderman or other person before whom the election shall be held, if it shall appear to him expedient for taking the poll at such election, may cause Booths to be erected, or rooms to be hired and used as such Booths, for different parts of such Borough, and such Booths or rooms may be situated either in one place or in several places, and shall be so divided and allotted into compartments as to him shall seem most convenient ; and the Mayor or Alderman, or Barrister or other person shall appoint a Clerk to take the poll at each compartment, and shall cause to be affixed on the most conspicuous part of each of the said Booths the names of the parts of the Borough for which such Booth is respectively allotted ; and no person shall be admitted to vote at any such election except at the Booth allotted for the part wherein the house, warehouse, counting-house, office or shop occupied by him as described in the Burgess Roll may be ; but in case no Booth shall happen to be provided for any particular part as aforesaid, the votes of the persons voting in respect of property situate in any part so omitted may be taken at any of the said Booths ; and public notice of the situation, division and allotments of the different Booths shall be given Two Days before the commencement of the poll by the Mayor or Alderman, or Barrister or other person ; and in case the Booths shall be situated in different places, the Mayor or Alderman, or Barrister or other person may appoint a deputy to preside at each place: Provided that no election shall

72.
Polling
Booths to be
provided.

be holden under this Act in any Borough in any church, chapel or other place of public worship.

73.

No inquiry of the Voter, except as to his identity, and whether he has voted before at the same Election.

And be it Enacted, That no inquiry shall be permitted at any election as to the right of any person to vote as a Burgess in any Borough, except only as follows ; (that is to say) that the Mayor or other presiding officer shall, if required by any Two Burgesses entitled to vote in the same Borough, put to any voter at the time of his delivering in his Voting Paper, and not afterwards, the following questions, or any of them, and no other :

Forms of Questions as to these points.

1. Are you the person whose name is signed as A. B. to the Voting Paper now delivered in by you ? 10
2. Are you the person whose name appears as A. B. on the Burgess Roll now in force for this Borough, being registered therein for property described to be situated in ? [Here specify the street, &c. as described in the Burgess Roll.] 15
3. Have you already voted at the present election, in this or any other Ward ?

And no person required to answer any of the said questions shall be permitted or qualified to vote until he shall have answered the same ; and if any person shall wilfully make a false answer to any of the questions aforesaid, he shall be deemed guilty of a Misdemeanor, and may be indicted and punished accordingly. 20

74.

Poll may be closed if an Hour has elapsed without a Vote being tendered.

And be it Enacted, That at any election under the provisions of this Act, it shall be lawful for the presiding Officer to close the poll at any time before Four of the clock, if One Hour shall have elapsed, during which no vote shall have been tendered for any candidate ; provided that no person or persons have within the last hour been prevented from coming to the poll by any riot, violence, or other unlawful means, of which notice shall have been given to the Returning Officer. 30

75.

Result of Election how to be declared.

And be it Enacted, That the Mayor and Assessors or the Alderman and Assessors, or the Barrister or other person appointed as aforesaid (as the case may be), shall examine the Voting Papers so delivered as aforesaid, for the purpose of ascertaining which of the several persons voted for are duly elected ; and so many of such persons, being equal to the number of persons then to be chosen, as shall have the greatest number of votes, shall be deemed to be elected ; and in case of an equality in the number of votes for any Two or more persons, the Mayor and Assessors, or Alderman and Assessors, or any Two of them, or at the first Election the Barrister or other person appointed by the Barrister as aforesaid, shall name from amongst those persons for whom the number of votes shall be equal so many as shall be necessary to complete the requisite number of persons to 35 40

to be chosen Aldermen or Councillors, as the case may be; and the Mayor shall cause the Voting Papers to be kept in the office of the Town Clerk during Six calendar Months at the least after every such election, and the Town Clerk shall permit any Burgess
5 or any Two Burgesses together, to inspect the Voting Papers of any year, on payment of One Shilling for every search; and the Mayor shall publish a list of the names of the persons so elected, together with the number of votes given in favour of each person so elected, not later than Two of the clock in the afternoon of the day next
10 but one following the day of such election.

And be it Enacted, That if at any Election of Aldermen, Councillors or Assessors for any Borough to be divided into Wards, according to the provisions and directions herein contained, any person shall be elected an Alderman, Councillor or Assessor in
15 more than One of the Wards of such Borough, he shall within Three Days after notice thereof choose, or in default the Mayor shall declare, for which one of the said Wards such Alderman, Councillor or Assessor shall serve, and such person shall thereupon be held to be elected in that Ward only which he shall so choose, or which the
20 Mayor shall so declare.

76.
Manner of proceeding if any person is elected an Alderman or Councillor in more than One Ward.

And be it Enacted, That on the First day of November in the year in which this Act shall come into operation in every Borough, and in every succeeding year, the Burgesses of the whole Borough shall, at an election to be holden before the Mayor, elect from the
25 persons qualified to be Councillors, by a majority of votes, Two Burgesses, who shall be and be called "Auditors" of such Borough, and Two Burgesses, who shall be and be called "Assessors" of such Borough, and besides the Two Assessors chosen as aforesaid by the Burgesses for the whole Borough to hold the Court with the Mayor
30 for revising the Burgess Lists, the Burgesses of every Ward shall on the First day of November next after the election of Councillors in such Ward, and in every subsequent year, elect from the persons qualified to be Councillors Two Assessors for such Ward, in the form and manner hereinbefore provided for the election of Councillors;
35 and every such Auditor and Assessor shall continue in office until the Tenth day of November in the year following his election; and the election of such Auditors and Assessors respectively shall be in form and manner hereinbefore provided for the election of Councillors: Provided nevertheless, That in every such election of
40 Auditors or Assessors of the Borough, or Assessors of the Ward, no Burgess shall vote for more than One person to be an Auditor or Assessor: Provided also, That no Burgess shall be eligible to be or be elected such Auditor or Assessor as aforesaid who shall be of the Council, or the Town Clerk or Treasurer of such Borough; and

77.
Election of Auditors and Assessors.

no Auditor shall be eligible to be elected Alderman or Councillor, or appointed to be Town Clerk or Treasurer of the Borough, during the time of his being such Auditor ; and no Assessor shall be eligible to be elected Alderman or Councillor during the existence of the Burgess Roll formed from the Lists with respect to which he shall have acted as such Assessor, or appointed to be Town Clerk or Treasurer during the time of his being such Assessor. 5

78.
Council to
appoint an
Alderman in
default of
the Mayor.

And be it Enacted, That if the Mayor of any Borough shall at the time when it shall be necessary to execute the powers and duties herein provided with respect to elections be dead, absent or otherwise incapable of acting, or if there shall be then no Mayor, the Council of such Borough shall forthwith elect one of the Aldermen to execute all such powers and duties in his place, whose acts shall be as valid as any act of the person instead of whom he shall have been so elected. 10 15

79.
In case of
s of Al-
illness.

And be it Enacted, That in case of the illness or incapacity to act of any Alderman at any election, the Mayor shall be empowered to appoint another Alderman to act in the room of such Alderman during such illness or incapacity.

80.
Assessor may
appoint a
Deputy.

And be it Enacted, That every Assessor shall be empowered and he is hereby directed, as soon as conveniently may be after his election, and from time to time as the occasion may arise or to him may seem fit, to appoint under his hand a deputy to act for him in case of his illness or incapacity to act at any election or any revision of the Burgess Lists ; and every such appointment shall be signified by him in writing under his hand to the Council, and shall be recorded on the minutes of their proceedings. 20 25

81.
Where the
Borough is
not divided
into Wards,
the Elections
for the whole
Borough to
be similar to
Elections in
Wards.

And be it Enacted, That in every Borough named in the said Schedule (B.), and in every other Town in Ireland to which a Charter of Incorporation under this Act shall be granted as aforesaid, and which shall not thereby be divided into wards, the Aldermen and Councillors to be assigned to such Borough shall be elected by the Burgesses of the whole Borough, in like manner and at the like times, and before the like persons, and with the like powers, and with the like penalties, and subject to the like regulations, as the Aldermen and Councillors of any ward are directed by the provisions hereinbefore contained to be elected in that ward, at the first or any other election under this Act, except that every such election hereinbefore directed to be holden before an Alderman and two Assessors of the ward shall be holden before the Mayor and two Assessors of the Borough ; and the two Assessors chosen to hold the Court with the Mayor for revising the Burgess Lists shall also perform 30 35 40

form all the same duties, and shall have the same powers within the Borough as are to be performed and exercised in a Borough divided into wards by the two Assessors chosen for each ward; and the votings and other proceedings in all other respects at such elections within such Borough shall be conducted in the same manner as is hereinbefore directed with regard to similar elections in wards; and in every Borough named in the said Schedule (B.) to which no Charter of Incorporation under this Act shall be granted as aforesaid, the Municipal Commissioners of such Borough shall be elected in like manner, and at the like times, and before the like persons, and with the like powers, and with the like penalties, and subject to the like regulations as the Councillors in such Boroughs to which Charters of Incorporation under this Act shall or might be granted, and which shall not thereby be divided into wards, except as to Assessors of the Borough, and except that upon the Twenty-fifth day of October in every Third year only, following that in which this Act shall come into operation in such Borough, the whole number of Municipal Commissioners of such Borough then elected as aforesaid, shall go out of office, and the persons then entitled to vote at such elections shall elect the number of Municipal Commissioners then required to constitute such Board as aforesaid, according to the provisions hereinbefore contained; and all the provisions herein contained relative to any Councillor of any Borough shall, except as aforesaid, apply to any Municipal Commissioner of any Borough; and all the provisions relative to any Burgess of any Borough at such elections shall apply to any person who is or was entitled to vote at the election of the Municipal Commissioners of any Borough; and all the provisions relative to the Burgess Roll of any Borough shall apply to the rate for the relief of the poor of the Union in which any such person is rated for any property in such Borough.

And be it Enacted, That after the declaration of the first election of the Councillors under the provisions of this Act in any Borough named in the said Schedule (A.), the Mayor, Aldermen and Common Councilmen, and all other members of the Common Council or governing Body of the Body Corporate, if any, named in conjunction with such Borough in the said Schedule (A.), by whatever name or style they may be known or called, then in office, or elected to any office, shall go out of office, and their whole powers and duties shall cease: Provided nevertheless, That any of the said persons shall be eligible to be elected and appointed under the provisions of this Act: Provided also, That such persons as by virtue of any charter are Justices of the Peace in any Borough named in the said Schedule (A.) at the time when this Act shall come into operation shall continue to have and exercise all the powers which at the time when this Act shall come into operation they have as Justices of the Peace; until the

82.
Existing
Mayors and
Councils of
Boroughs in
Schedule (A.)
to go out of
office on elec-
tion of Coun-
cils under this
Act.

First day of December next after the first election of Councillors under this Act in that Borough, and no longer.

83.
Certain
Elections not
to be had.

And be it Enacted, That in every such Borough in which, by statute, charter, bye-law or custom, any election is appointed to be holden between the day on which this Act shall come into operation in that Borough and the Twenty-fifth day of October then next following, both inclusive, no such election shall be holden, but every person holding office in any Borough on the day on which this Act shall come into operation in that Borough shall hold such office, and have all the powers, and be subject to all the duties, and be entitled to the same or a proportion of the same salary and fees of such office for the time for which he shall act, as if he had been elected to such office between the day on which this Act shall come into operation in that Borough and the Twenty-fifth day of October then next following, until the time provided by this Act for him to go out of office.

84.
After the
commence-
ment of the
Act, existing
Mayors, &c.
and Officers
of Boroughs in
Schedule (B.)
to continue
until new
election or
dissolution.

And be it Enacted, That after the passing of this Act, no election shall be holden for any Officer of the Body Corporate named in the said Schedule (B.) in conjunction with such Borough, except for the purpose of supplying a vacancy occasioned by death, removal or resignation; and in every case in which an election of any such Officer is appointed by any statute, charter, bye-law or custom to be holden between the day of the passing of this Act, and the day on which such Body Corporate shall by virtue of this Act be dissolved, the person holding or elected to such office on the day of the passing of this Act shall hold such office, and have all the powers and be subject to all the duties belonging thereto, in the same manner as if he had been elected to such office at any time after the passing of this Act: Provided always, That no person so elected for the purpose of supplying such vacancy shall be entitled to any compensation under the provisions of this Act.

85.
The power
of Mayors
and Common
Councilmen
to cease on
the dissolu-
tion of the
Corporation.

And be it Enacted, That the powers and duties of the Mayor, Aldermen and Common Councilmen, and all other members, by whatever name or style they may be called, of any Body Corporate named in the said Schedule (B.) shall cease on the day on which such Body Corporate shall be dissolved by virtue of the provisions hereinbefore contained.

86.
Justices of the
Peace to cease
on dissolution,
except in
Carriek-
fergus, where
they are to

And be it Enacted, That the powers and duties of all persons who by virtue of any charter shall be Justices of the Peace in any of the said Boroughs named in the said Schedule (B.) shall cease on the day on which such Body Corporate shall be dissolved by virtue of the provisions hereinbefore contained: Provided always, That when

when the Body Corporate of the Borough of Carrickfergus shall be dissolved, the powers and duties of all persons who by virtue of any Charter shall on the day preceding such dissolution be Justices of the Peace in such Borough, notwithstanding they may have ceased to hold the office by virtue of which they shall be such Justices, shall continue until a separate Commission of the Peace shall have been granted to such Borough or Town or County of the Town of Carrickfergus, and no longer.

continue in office until a separate Commission shall have been granted to that Town.

And be it Enacted, That the powers and duties of all persons who, on the day preceding the dissolution of any Body Corporate by virtue of this Act, shall be Justices of the Peace with salaries or fees, by virtue of any Act or Acts of Parliament now in force in the Boroughs named in the said Schedule (B.) to this Act annexed in connexion with such Body Corporate, whether such persons shall be Justices in their respective corporate capacities, or shall have been elected or appointed by any such Body Corporate, or any member or members thereof in his or their corporate capacity, and where such persons shall have been such Justices in their respective corporate capacities, notwithstanding that they shall have ceased to hold the offices by virtue of which they shall be such Justices, shall continue, and the same Police Office and Officers, and Servants and Establishments, for the performance of such powers and duties, and all laws and provisions relating thereto, shall be continued and remain in force in the same manner as if this Act had not been passed, until such time as the Lord Lieutenant shall, by notice to be published in the Dublin Gazette, declare, that the same shall determine; and at the time to be mentioned in any such notice the powers and duties of the person or persons therein named as Justice or Justices in such Town shall cease.

87.
The powers of salaried Magistrates under Acts of Parliament continued until determined by the Lord Lieutenant.

And be it Enacted, That if any extraordinary vacancy shall be occasioned in the office of Councillor, Municipal Commissioner, Auditor or Assessor for any Borough, the Burgesses or persons entitled to vote shall, on a day to be fixed by the Mayor of such Borough, or by the Alderman, appointed as aforesaid, of the Ward in which the vacancy has happened, accordingly as the election is to be by the Burgesses or voters of the whole Borough or of any particular Ward (such day not to be later than Ten Days after such vacancy), elect from the persons qualified to be Councillors or Commissioners, another person qualified to supply such vacancy; and such election shall be held, and the voting and other proceedings, in case of a contest, shall be conducted in the same manner and subject to the same provisions as are hereinbefore enacted with respect to the election of Councillors as aforesaid; and every person so elected shall hold such office until the time at which the person in room of whom he was chosen would regularly have

88.
Occasional Vacancies of Councillors to be filled up by fresh Elections.

gone out of office, and he shall then go out of office, but shall be capable of immediate re-election, if then qualified as herein provided.

89.
Occasional
Vacancies in
the office of
Alderman to
be supplied.

And be it Enacted, That if any extraordinary vacancy shall be occasioned in the office of Alderman by reason of any person who shall have been elected to such office not accepting the same, or by reason of his dying or ceasing to hold the said office, the Burgesses of the Ward in which the vacancy may have occurred, shall on a day to be fixed by the Mayor of such Borough, or by the Alderman, appointed as aforesaid, of the Ward in which the vacancy has happened, or if there shall be no Alderman appointed as aforesaid, by such Alderman or Councillor as shall have been appointed for that purpose by the Council (such day not to be later than Ten Days after such vacancy), elect out of the Councillors or persons qualified to be Councillors of the Borough another fit person to be an Alderman of the Ward instead of the person so declining, dying or ceasing to hold office.

90.
Election of
Mayor by
Council.

And be it Enacted, That on the First day of November in every year the Council of the Borough shall elect out of the Aldermen or Councillors of such Borough a fit person to be the Mayor of such Borough, who shall continue in his office for One whole year, and until his successor shall have accepted the office of Mayor, and shall have made and subscribed the Declaration required in that behalf; and in case of an equality of votes in any election of Mayor, the Alderman who shall have been elected by the greatest number of votes shall have a second or casting vote; and in case a vacancy shall be occasioned in the office of Mayor of the Borough during such year, by reason of any person who shall have been elected to such office not accepting the same, or by reason of his dying or ceasing to hold the said office, the Council of the Borough shall within Ten Days after such vacancy elect out of the Aldermen or Councillors of the said Borough another fit person to be the Mayor thereof for the remainder of the then current year; and in like manner, and at the like times, and subject to the like regulations, the Board of Municipal Commissioners of any Borough shall elect out of the Commissioners of such Borough a fit person to be the Chairman of such Commissioners.

91.
The Mayor to
be a Justice
of the Peace
for the
Borough and
for the County,
and Returning
Officer at
Elections of
Members to
serve in Par-
liament.

And be it Enacted, That the Mayor for the time being of every Borough shall be a Justice of the Peace of and for such Borough, and such Mayor shall, during his mayoralty, have precedence in all places within the Borough, and in Boroughs which return a Member or Members to serve in Parliament, other than cities and towns which are counties of themselves, the Mayor, or in any such Borough in which there shall be no Mayor, the Chairman of any Commissioners acting under this Act for such Borough, or if there be no Council or Commissioners

Commissioners acting under this Act for such Borough, the Sheriff of the county in which the whole or the greater part of such Borough shall be situate, shall be the Returning Officer at all elections for such Members; and in case the Mayor or Chairman shall, at the
 5 time when it shall be necessary to execute the powers and duties herein provided with respect to any elections, be dead or absent, or otherwise incapable of acting, the Council or Commissioners of such Borough shall forthwith elect one of the Aldermen or Commissioners, as the case may require, to be the Returning Officer for
 10 such Borough in the place of the Mayor or Chairman being so dead, absent or otherwise incapable.

And be it Enacted, That no person elected a Mayor, Alderman, Councillor, Municipal Commissioner, Auditor or Assessor for any Borough, or Alderman, Councillor or Assessor for any Ward of any
 15 Borough, under the provisions of this Act, shall be capable of acting as such, except in administering the declaration herein contained, until he shall have made and subscribed before any Two or more of such Aldermen, Councillors or Commissioners (who are hereby respectively authorized and required to administer the same) a Declaration
 20 in the words or to the effect following; (that is to say)

“ I, A. B., having been elected Mayor [or, Alderman, Councillor, Municipal Commissioner, Auditor or Assessor] for the Borough of [or, for the Ward of in the Borough of], do hereby declare, That I take the
 25 said office upon myself, and will duly and faithfully fulfil the duties thereof according to the best of my judgment and ability.”

And in the case of the party being required to be qualified by estate,

30 “ And I do hereby declare, That I am seised or possessed of real or personal estate [or both, as the case may be] to the amount of One thousand Pounds or Five hundred Pounds [as the case may require,] over and above what will satisfy my debts.”

Or, when a qualification by reason of the occupancy of a house is
 35 allowed:

“ That I now occupy, and have for Twelve calendar Months last past occupied, a house rated for the relief of the poor at the net annual value of not less than Twenty Pounds, [or Pounds, as the case may require], situate within the
 40 Borough.”

And that every Alderman who shall have made and subscribed the foregoing declaration in respect of estate shall once in every period of Three Years, if required in writing so to do by any Two Members

92.
 Mayor, Aldermen, Councillors, &c.
 not to act until they have made a declaration of acceptance of Office.

of the Council, make and subscribe a Declaration that he is qualified to the same amount in real or personal estate, or both, as the case may then be, as the amount mentioned in the Declaration originally made or subscribed by him ; and every Mayor, Alderman, Councillor, Municipal Commissioner, Auditor or Assessor who shall in any such declaration wilfully make a false statement shall be deemed guilty of a Misdemeanor, and may be indicted and punished accordingly: Provided always, That nothing in this Act contained shall be construed to dispense with the obligation of any person to make and subscribe the Oath provided and enjoined by an Act made in the tenth year of the reign of his late Majesty King GEORGE the Fourth, intituled, “ An Act for the Relief of His Majesty’s Roman Catholic Subjects.”

93.
Every Burgess elected to the office of Councillor, and every Councillor elected to the office of Mayor or Alderman, shall accept the office, or pay a Fine to the Borough Fund.

And be it Enacted, That every person duly qualified who shall be elected to the office of Alderman, Councillor, Auditor or Assessor, and every Councillor or Alderman who shall be elected to the office of Mayor for any Borough, shall accept the office to which he shall have been so elected, or shall in lieu thereof pay to the Mayor, Aldermen and Burgesses of such Borough such fine, not exceeding Fifty Pounds in case of Aldermen, Councillors, Assessors or Auditors, and such fine not exceeding One hundred Pounds in case of Mayor, as the Council of such Borough, by a bye-law to be made as hereinafter provided, shall declare in that behalf ; and such fine, if not duly paid, shall be levied by the warrant of any Justice having jurisdiction within such Borough, who is hereby required on application of the Council to issue the same, by distress and sale of the goods and chattels of the person so refusing to accept such office, with the reasonable charges of such distress, and shall also be recoverable by way of civil bill in any action of debt, at the suit of the Mayor, Aldermen and Burgesses of such Borough, in the Court of the Assistant-Barrister, Chairman or Recorder having jurisdiction by way of civil bill within such Borough ; and every such person so elected shall accept such office, by making and subscribing the declaration hereinbefore mentioned within Five Days after notice of his election, otherwise such person shall be liable to pay the said fine as for his non-acceptance of such office ; and every Municipal Commissioner shall in like manner accept his office, and in case of non-acceptance, any such office shall thereupon be deemed to be vacant and shall be filled up by a fresh election to be made in the manner hereinbefore mentioned: Provided always, That no person disabled by lunacy or imbecility of mind, or by deafness, blindness or other permanent infirmity of body, shall be liable to such fine as aforesaid: Provided also, That every person so elected to any such office, who shall be above the age of Sixty-five Years, or who shall have already served such office respectively or paid the fine for

for not accepting such office respectively, within Five Years from the day on which he shall be so re-elected, shall be exempted from accepting or serving the same office if he shall claim such exemption within Five Days after notice of his election ; and that nothing herein
 5 contained shall extend to compel the acceptance of any office or duty whatever in any Borough by any military, naval or marine officer in Her Majesty's service on full pay, or any officer of Excise or Customs, or any person employed in any of Her Majesty's dockyards, victual-
 10 ling establishments, arsenals or barracks, or any person serving in the office of High or Sub-Sheriff of a county at large, or being a Member of either House of Parliament : Provided further, That no person enabled by law to make an affirmation or declaration instead of taking an oath shall be liable to any fine for non-acceptance of office in any Borough.

15 And be it Enacted, That every person elected into any corporate office in any of the said Boroughs, may at any time resign such office on payment of the fine which he would have been liable to pay for non-acceptance of the same office, or if he shall become entitled to claim exemption from payment of any such fine, or
 20 from accepting or serving such office under any provision herein-before contained.

94.
 Provision
 for resigning
 Office.

And be it Enacted, That if any person holding the office of Mayor, Alderman, Councillor or Municipal Commissioner for any Borough shall be declared bankrupt, or shall apply to take the benefit of any
 25 Act for the Relief of Insolvent Debtors, or shall compound by deed with his creditors, or, being Mayor, be absent for more than Two calendar Months, or, being an Alderman, Councillor or Municipal Commissioner for more than Six Months, at one and the same time (unless in case of illness or other reasonable cause to be allowed by the
 30 Council or Board of Commissioners), from the Borough of which he shall be Mayor, Alderman, Councillor or Commissioner, then and in every such case such person shall thereupon immediately become disqualified, and shall cease to hold the office of such Mayor, Alderman, Councillor or Commissioner as aforesaid; and in case of such
 35 absence shall be liable to the same fine, to be recovered in the same manner, as if he had refused to accept the said office, and the Council or Board of Commissioners thereupon shall forthwith declare the said office to be void, and shall signify the same by notice in writing under the hands of Three or more of them,
 40 countersigned by the Town Clerk, to be affixed in some public place within the Borough, and the said office shall thereupon become void ; but every person so becoming disqualified and ceasing to hold such office on account of his being declared a bankrupt, or of his applying to take the benefit of any Act for the Relief of Insolvent Debtors, or

95.
 Any Mayor,
 Alderman or
 Councillor, &c.
 if declared
 bankrupt, or
 insolvent, or
 absents him-
 self from the
 Borough, shall
 lose his Office.

having compounded with his creditors as aforesaid, shall, on obtaining his certificate, or on payment of his debts in full, be capable, if otherwise qualified, of being re-elected to such office; and every person becoming disqualified to hold such office on account of absence as aforesaid, shall on his return to such Borough be capable 5 of being re-elected to such office, provided he shall then be otherwise qualified.

96.
Penalty on
Person not
qualified, &c.
acting as
Mayor, Alder-
man or Coun-
cillor, &c.

And be it Enacted, That if any person shall act as Mayor, Alderman or Councillor, or Municipal Commissioner, or Auditor or Assessor, for any Borough, or for any Ward in any Borough, 10 without having made the declaration hereinbefore required in that behalf, or without being duly qualified at the time of making such declaration, or after he shall have ceased to be qualified according to the provisions of this Act, or after he shall have become dis- 15 qualified to hold any such office, he shall for every such offence forfeit the sum of Fifty Pounds, such sum to be recovered, with full costs of suit, by any person who will sue for the same within Three calendar Months after the commission of such offence, by action of debt or on the case in any of Her Majesty's Superior Courts of Record; and every person so sued by reason of not being so quali- 20 fied in respect of estate shall prove that he was at the time of so acting qualified as aforesaid, or otherwise shall pay the said penalty, without any further evidence being given on the part of the plaintiff than that such person has acted as the Mayor, or as Alderman, Coun- 25 cillor, Municipal Commissioner, Auditor or Assessor (as the case may be) of such Borough or Ward (as the case may be): Provided always, That it shall be lawful for any defendant by Judge's order, or by the order of the Court, to be obtained within Fourteen Days after he shall have been served with process in any such action, to require the plaintiff to 30 give security for costs; and in such case all further proceedings in the said cause shall be stayed until the plaintiff shall give security to the satisfaction of the proper officer of the Court for the costs of such action in case a verdict shall pass for the defendant, or the plaintiff shall become nonsuit or discontinue such action, or if upon demurrer or otherwise judgment shall be given against the plaintiff, and the 35 defendant shall in either of such cases recover his full costs as between attorney and client: Provided also, That no such action shall be brought except by a Burgess of such Borough, or by a person qualified to vote for Commissioners for such Borough, nor unless the Burgess or such person bringing the same shall, within Fourteen Days 40 after the commission of the offence, have served a notice in writing personally upon the party committing such offence of his intention to bring such action; and in case the plaintiff in any such action shall obtain a verdict, the money to be recovered shall, after payment of the costs and expenses attending the recovery thereof, be paid and

and apportioned as follows ; (that is to say) one Moiety thereof to the person so suing, and the other Moiety thereof to the Treasurer to be appointed by virtue of this Act, to be by him applied in aid of the Borough or Town Fund: Provided also, That all acts and proceedings of any person in possession of the office of Mayor, Alderman, Councillor, Commissioner, Auditor or Assessor, and acting as a Mayor, Alderman, Councillor, Commissioner, Auditor or Assessor, shall, notwithstanding such disqualification or want of qualification, or any other defect or want of title, be as valid and effectual as if such person had been duly qualified or entitled ; and no person enrolled on the Burgess Roll for the time being of any Borough, and who shall act as Mayor, Alderman, Councillor, Auditor or Assessor in that Borough, shall be liable to any penalty for so acting, on the ground that he was not entitled to be on the Burgess List of such Borough.

Proviso.

97.

Persons convicted of Bribery disqualified from voting at any Election.

And be it Enacted, That if any person who shall have or claim to have any right to vote in any election of Mayor, or of an Alderman, Councillor, Municipal Commissioner, Auditor or Assessor of any Borough or Ward, shall, after the passing of this Act, ask or take any money or other reward by way of gift, loan or other device, or agree or contract for any money, gift, office, employment or other reward whatsoever, to give or forbear to give his vote in any such election, or if any person, by himself or any person employed by him, shall, by any gift or reward, or by any promise, agreement or security for any gift or reward, corrupt or procure, or offer to corrupt or procure, any person to give or forbear to give his vote in any such election, such person so offending in any of the cases aforesaid shall for every such offence forfeit the sum of Fifty Pounds, to be recovered, together with full costs of suit, by any one who shall sue for the same, by action of debt, bill, plaint or information, in any of Her Majesty's Courts of Record at Dublin ; and any person offending in any of the cases aforesaid, being lawfully convicted thereof, shall for ever be disabled to vote in any election in such Borough, or in any Municipal or Parliamentary election whatever in any part of the United Kingdom, and also shall for ever be disabled to hold, exercise or enjoy any office or franchise to which he then shall or at any time afterwards may be entitled as a Burgess or voter of such or any other Borough, as if such person was naturally dead : Provided nevertheless, That if any person offending in any of the cases aforesaid shall, within the space of Twelve calendar Months next after such election as aforesaid, discover any other person or persons offending in any of the cases aforesaid, so that such person or persons so discovered be thereon convicted, such person so discovering, and not having been before that time convicted of any such offence, shall be indemnified and dis-

Persons offending in any of the cases aforesaid discovering others so offending, within Twelve Months, discharged from all Penalties

charged from all penalties and disabilities which he shall then have incurred by any such offence.

98.
No Person to be made liable to incapacity or Penalty, unless Prosecution commenced within One Year.

Provided always, and it is hereby Enacted, That no person shall be made liable to any incapacity, disability, forfeiture or penalty by this Act imposed in any of the cases aforesaid, unless prosecution be commenced within One Year after such incapacity, disability, forfeiture or penalty shall be incurred; any thing herein contained to the contrary notwithstanding.

99.
Questions to be decided by a majority of Councillors present; One-third Part of the whole number to be a Quorum.

And be it Enacted, That all acts whatsoever authorized or required by virtue of this Act to be done by the Council or Board of Municipal Commissioners of any Borough, and all questions of adjournment or others that may come before such Council or Commissioners, may be done and decided by the majority of the members or Board who shall be present at any meeting held in pursuance of this Act, the whole number present at such meeting not being less than One-third part of the number of the whole Council or Board; and at all such meetings the Mayor or Chairman, if present, shall preside; and the Mayor or Chairman, or, in case of his absence, such Alderman or Councillor or Commissioner as the members then assembled shall choose to be the Chairman of that meeting, shall have a second or casting vote in all cases of equality of votes; and minutes of the proceedings of all such meetings shall be drawn up and fairly entered into a book to be kept for that purpose, and shall be signed by the Mayor, Alderman or Councillor, or Commissioner presiding at such meeting; and the said minutes shall be open to the inspection of any Burgess or voter at all reasonable times on payment of a fee of One Shilling; and any Burgess or voter shall be at liberty at all seasonable times to make any copy or take any extract from such book: Provided always, That previous to any meeting of the Council or Board, held by virtue of this Act, a notice of the time and place of such intended meeting shall be given Three clear Days at least before such meeting, by fixing the said notice on or near the door of the Town Hall of the Borough; and such notice shall be signed by the Mayor or Chairman, who shall have power to call a meeting of the Council or Board as often as he shall think proper; and in case the Mayor or Chairman shall refuse to call any such meeting after a requisition for that purpose signed by Five Members of the Council or Board at the least shall have been presented to him, it shall be lawful for the said Five Members to call a meeting of the Council or Board, by giving such notice as is hereinbefore required in that behalf, such notice to be signed by the said Members instead of the Mayor or Chairman, and stating therein the business proposed to be transacted at such meeting; and in every case a summons to attend the Council

Council or Board, specifying the business proposed to be transacted at such meeting, signed by the Town Clerk, shall be left at the usual place of abode of every Member of the Council or Board, or at the premises in respect of which he is enrolled a Burgess, or is
5 qualified to vote as aforesaid, Three clear Days at the least before such meeting; and no business shall be transacted at such meeting other than is specified in the notice: Provided always, That there shall be in every Borough Four quarterly meetings in every year at which the Council or Board shall meet for the transaction of
10 general business, and no notice shall need to be given of the business to be transacted on such quarterly days; and the said quarterly meetings shall be holden at noon on the First day of November, and at such hour on such other Three days before the Twenty-fifth day of October then next following as the Council or Board at the
15 quarterly meeting in November shall decide; and the first business transacted at the quarterly meeting in November shall be the election of Mayor or Chairman.

And be it Enacted, That the Council or Board of Commissioners acting in the execution of this Act in any Borough in the year in
20 which this Act shall come into operation shall appoint, to be removable at their pleasure, a fit person, not being a member of the Council or Board, to be the Town Clerk of such Borough, and in every year one other fit person, not being a member of the Council or Board, to be the Treasurer of the Borough, and the Council of
25 any Borough may also appoint such other officers as have been usually appointed in such Borough, or as they shall think necessary for enabling them to carry into execution the various powers and duties vested in them by virtue of this Act, and may from time to time discontinue the appointment of such officers as shall appear to them
30 not necessary; and such Council or Board shall take such security for the due execution of his office by any such Town Clerk, Treasurer or other officer, as the said Council or Board shall think proper; and shall order to be paid to the Mayor, and to the Town Clerk and Treasurer, and to every such officer to be employed
35 as aforesaid, such salary or allowance as the said Council or Board shall think reasonable; and in case of a vacancy in any such office as aforesaid, by death, resignation, removal or otherwise, the Council or Board of such Borough may appoint another fit person in the place of the person so making such vacancy; provided that the Town
40 Clerk and Treasurer shall not be the same person.

100.
Power to
appoint Town
Clerk, Trea-
surer, and
other Officers,
and to take
security for
due discharge
of their
official duties.

Provided always, and be it Enacted, That no appointment of any Officer, other than such as shall usually have been appointed in such Borough, shall be made until a statement in writing shall have been submitted by the Council to the Lord Lieutenant, describing the nature

101.
Proviso
restricting
the Creation
of Officers
in Boroughs.

and proposed tenure of the office about to be created, and the reasons for creating it, and also the Salary proposed to be paid to the Officer when appointed, nor until the consent of the Lord Lieutenant to the making of such appointment shall, subsequently to the receipt of such statement, have been signified by Warrant under his hand, which 5
Warrant shall be entered upon the Minute-book of the Council.

102.

Officers to
account, &c.
according to
the Orders
of the Coun-
cil or Board.

And be it Enacted, That every Treasurer, Town Clerk or other officer appointed by the Council or Board as aforesaid shall, at such times during the continuance of his office, or within Three calendar Months after the expiration of his office, and in such manner as 10
the said Council or Board shall direct, deliver to the Council or Board, or to such person as they shall authorize for that purpose, a true account in writing of all matters committed to his charge by virtue of this Act, or under colour of his office, and also of all monies which shall have been by him received by virtue or for the 15
purposes of this Act, or under colour of his office, and how much thereof shall have been paid and disbursed, and for what purposes, together with proper vouchers for such payments, and also a list of the names of all such persons as shall not have paid the monies due from them for the purposes of this Act, and of the amount 20
due from each of them; and every such officer shall pay all such monies as shall remain due from him to the Treasurer for the time being, or to such person as the said Council or Board shall authorize to receive the same; and if any such officer shall refuse or wilfully neglect to deliver such account, or the vouchers relating to such 25
account, or such list as aforesaid, or to make payment as aforesaid, or shall refuse or wilfully neglect to deliver to the said Council or Board, or to such person as they shall authorize, within Three Days after being thereunto required by notice in writing under the hands of any Three or more of the said Council or Commissioners, to be 30
given to or left at the last place of abode of such officer, all books, papers and writings in his custody or power, relating to the execution of this Act, or to give satisfaction to the said Council or Board, or to such other person as aforesaid, respecting the same, then and in every such case, upon complaint made on behalf of the said Council or 35
Board, by such person as they shall authorize for that purpose, of any such refusal or wilful neglect as aforesaid, to any Justice of the Peace for the County, or other jurisdiction wherein such officer so refusing or neglecting shall be or reside, such Justice is hereby authorized and required to issue a warrant under his hand and seal 40
for bringing such officer before any Two Justices of the Peace for such County or jurisdiction; and upon the said officer appearing, or not being found, it shall be lawful for such Justices to hear and determine the matter in a summary way; and if it shall appear to such Justices that any monies remain due from such officer, such Justices may

Summary
remedy
against
Officers
not account-
ing, &c.

may and they are hereby authorized and required, upon non-payment thereof, by warrant under their hands and seals, to cause such monies to be levied by distress and sale of the goods of such officer; and if sufficient goods shall not be found to satisfy the said monies and the charges of the distress, or if it shall appear to such Justices that such officer has refused or wilfully neglected to deliver such account, or the vouchers relating thereto, or such list as aforesaid, or that any books, papers or writings relating to the execution of this Act remain in the hands or in the custody or power of such officer, and that he has refused or wilfully neglected to deliver the same, or to give satisfaction respecting the same as aforesaid, then and in every such case such Justices shall and they are hereby required to commit such offender to the Common Gaol or House of Correction for the County or jurisdiction where such offender shall be or reside, there to remain without bail until he shall have paid such monies as aforesaid, or shall have compounded with the said Council or Board for such monies, and shall have paid such composition in such manner as they shall appoint (which composition the said Council or Board are hereby empowered to make and receive), or until he shall have delivered a true account as aforesaid, together with such vouchers and list as aforesaid, or until he shall have delivered up such books, papers and writings, or have given satisfaction in respect thereof to the said Council or Board, or to such other person as aforesaid, as the case may be: Provided always, That no person so committed shall be detained in prison for want of sufficient distress only, for a longer space of time than Three calendar Months: Provided also, That nothing in this Act contained shall prevent or abridge any remedy by action against any such officer so offending as aforesaid, or against any surety for any such officer; but such officer shall not be sued by action and also proceeded against in a summary manner by virtue of this Act for the same cause.

Proviso.

Remedy by Action.

And be it Enacted, That such of the powers and duties of any Mayor, Bailiff, Provost or Portreeve of any Borough named in the said Schedule (B.) to this Act annexed, as are exercised and performed in other places by Sheriffs, shall, when the Body Corporate named in connexion with such Borough in the said Schedule shall be dissolved by virtue of this Act, cease on the day on which such Body Corporate shall be dissolved.

103.
Duties of Sheriffs performed by other Officers to cease on dissolution of Corporations in Schedule (B.)

And be it Enacted, That the powers and duties of Coroners of any Boroughs named in the said Schedule (B.) to this Act annexed shall, when the Body Corporate named in connexion with such Borough in the said Schedule shall be dissolved by virtue of this Act, cease on the day on which such Corporation shall be dissolved.

104.
Coroners to be discontinued on dissolution of Corporations in Schedule (B.)

105.

Clerks of
Markets or
Weighmas-
ter appointed
by Corpora-
tions to con-
tinue in their
offices as if this
Act had not
been passed.

And be it Enacted, That every person who shall have been elected or appointed by any Body Corporate named in the said Schedule (B.) to this Act annexed, which shall be dissolved by virtue of this Act, or by any member or members thereof, in his or their corporate capacity, to be a clerk of a market, or a weighmaster of all goods, wares and merchandises, or a weighmaster of butter, or taster of butter, or assay master, and shall not be entitled to such office as a member of such Body Corporate in his corporate capacity, shall continue to hold such offices, and to execute all the duties heretofore belonging thereto, as if this Act had not passed : Provided always, That if such office shall be filled up upon any resignation or removal made after the passing of this Act, in such case the person appointed to such office may be removed at the pleasure of the Lord Lieutenant, and any person so removed shall not be entitled to compensation under the provisions of this Act.

106.

Officers to
continue until
removed.

And be it Enacted, That the Council elected under this Act in any Borough named in the said Schedule (A.), shall have power to remove from his office every Town Clerk, Bailiff, Treasurer or Chamberlain, and every other ministerial or executive officer of such Borough and Body Corporate, except the Sheriff, who shall be in office at the time of the first election of Councillors under this Act ; and every such Town Clerk, Bailiff, Treasurer or Chamberlain, and every other ministerial or executive officer in such Borough, shall continue to act in the same capacity as heretofore, and to execute all the duties heretofore belonging to his office, and be entitled to have the same salaries, fees and emoluments as he would have had if this Act had not been passed, until he shall be removed from his office, and no longer, unless he shall be re-appointed according to the provisions of this Act ; and any Commissioners acting in execution of any of the powers of this Act shall have power to re-appoint to office any Town Clerk or Treasurer of any Borough who shall have been deprived of office by virtue or in pursuance of this Act ; and every officer who shall be in possession or receipt of any monies, goods, valuable securities, books or papers belonging to or concerning the Borough or the Body Corporate whose officer he is, shall deliver up and account for the same to the Council of such Body Corporate or any Commissioners acting for such Borough under this Act ; and in case they or any of them shall refuse or wilfully neglect to deliver such accounts, vouchers and lists, or to make such payments, or to deliver such books, papers and writings, or to give satisfaction respecting the same, as is hereinbefore provided in the case of officers appointed by any Council or Board, they and every of them may in like manner be proceeded against, and shall be subject and liable to the several provisions hereinbefore contained in cases of officers appointed by any Council

or

or Board; and all the charters, deeds, muniments and records of every Borough, or relating to the property thereof, shall be kept in such place as the Council or Commissioners acting in execution of this Act from time to time shall direct, and the Town Clerk for
 5 the time being shall have the charge and custody of and be responsible for the same; and every person who shall be a Town Clerk, Bailiff, Treasurer or Chamberlain, or other ministerial or executive Officer of any Body Corporate named in the said Schedule (B.) to this Act annexed, which shall be dissolved by virtue of this Act,
 10 and who shall be in such office at the time of such dissolution, shall continue to execute all the duties heretofore belonging to his office, so far as the same are not inconsistent with the provisions of this Act, in the same manner as he would have done if this Act had not been passed, until he shall be removed from his office by any Com-
 15 missioners appointed or acting, or to be appointed or to act in such Borough by virtue of this Act, or where there shall be no such Commissioners by the Lord Lieutenant: Provided always, That nothing herein contained shall extend to authorize the removal from his office of the Pilot of the Town of Galway, and that on any vacancy
 20 which shall occur in that office, the Lord Lieutenant shall appoint a fit person to fill such vacancy.

And be it Enacted, That all pensions and allowances granted on or before the Fifth day of June One thousand eight hundred and Thirty-five, by the Corporate Body named in the
 25 said Schedule (A.) in conjunction with any Borough, to any retired officer or servant, or to any officer by permanent infirmity rendered incapable of performing the duties of his office, or to the widow or child of any officer or servant, and all stipends and allowances which during Seven Years next before the said Fifth
 30 day of June have been usually paid and granted to the Minister or late Minister of any Church or Chapel, or to the Master or Usher of any School, or to the Governor or Master of any Hospital within such Borough, and all charitable allowances which have been usually paid as aforesaid to the inmates of any almshouses by such
 35 Corporate Body, shall be secured, as soon as conveniently may be after the passing of this Act, to every person entitled or accustomed to have and receive the same, by bond or obligation under the common seal of the Borough out of whose funds the same shall be payable, in a sufficient penalty, conditioned for the payment to such
 40 person, his executors and administrators, of such pension, stipend or allowance, with all arrears thereof, if any, accrued due before the date of such bond; and such bond or obligation shall be prepared and executed at the expense of the Borough Fund.

107.
 Reservation
 of certain
 Pensions and
 Allowances.

108.
Power to
Council to
appoint Com-
mittees.

And be it Enacted, That it shall be lawful for the Council of any Borough to appoint out of their own Body from time to time such and so many Committees, either of a general or special nature, and consisting of such number of persons as they may think fit, for any purposes which in the discretion of such Council would be better regulated and managed by means of such Committees: Provided always, That the acts of every such Committee shall be submitted to the Council for their approval.

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109.
Property of
the Corpora-
tions vested
in the Com-
missioners.

And be it Enacted, That on the day on which any Body Corporate named in conjunction with any Borough in Schedule (B.) to this Act annexed shall be dissolved by virtue of this Act, all the manors, advowsons, messuages, town halls, public and other buildings, lands, rents, hereditaments, leasehold estates, goods, chattels, money, debts, stocks, funds, securities, personal estate and effects, and all other property whatsoever and wheresoever, and of what nature or kind soever of or to which any such Body Corporate, or any one or more of the members of such Body Corporate, in his or their corporate capacity, is or are or shall be seised or possessed or entitled for any estate or interest whatsoever, (except property held in trust for any charitable uses or trusts in respect of which other provisions are herein contained,) and all the estate, right, title and interest of such Bodies Corporate, member or members, shall be and the same are hereby vested in the body so incorporated in that Borough where a Charter shall have been granted under this Act, or in the Commissioners elected under the said Act of the ninth year of King GEORGE the Fourth, or in the Commissioners to be elected in such Borough respectively in pursuance of this Act, or in the Guardians of the Poor of the Union in which that Borough is situate, as the case may require, subject to such mortgages, charges, debts and incumbrances, rents, contracts, covenants and conditions, as the same respectively shall then be subject or liable to.

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110.
Debts and
Contracts of
Corporations
may be
enforced by
the Commis-
sioners.

And be it Enacted, That every person and Body Corporate who on the day preceding the day on which any Body Corporate named in conjunction with any Borough in Schedule (B.) to this Act annexed shall be dissolved by virtue of this Act, shall owe any sum of money to such Body Corporate, shall pay the same, together with all interest (if any) due or to accrue due for the same, to the body so incorporated, or to the Commissioners acting or to be elected in such Borough in pursuance of this Act, or to such Guardians of the Poor, as the case may from time to time require, or their Treasurer; and all rents and sums of money which on the same day shall be due and payable, or then accruing due and payable to such Body Corporate, shall become and be due and payable

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payable to the said body so incorporated, Commissioners or Guardians of the Poor, and shall and may be collected and recovered by the like ways and means, and with the same penalties in respect thereof, and in like manner as the Body Corporate to whom the same respectively shall be due or payable might have collected and recovered the same respectively if this Act had not been passed; and all conveyances, contracts, agreements, bonds, covenants and securities made or entered into before the day on which such Body Corporate shall be dissolved, to, with or in favour of such Body Corporate, shall be good, valid and effectual in favour of the said body so incorporated, Commissioners, or Guardians of the Poor, as the case may be, and may be enforced in the same manner to all intents and purposes as such Body Corporate might have enforced the same if this Act had not been made.

15 And be it Enacted, That every person and Body Corporate who, on the day preceding the day on which any Body Corporate named in conjunction with any Borough in Schedule (B.) to this Act annexed shall be dissolved by virtue of this Act, shall claim to be entitled, or would thereafter if this Act had not been passed have become entitled, to any sum of money owing from or payable by such Body Corporate, or shall claim any part of the property of such Body Corporate in respect of any mortgage, charge, conveyance, contract, agreement, bond, covenant or security which shall have been made or entered into with or in favour of him or them by such Body Corporate before the same day, shall and may recover or enforce the same as against the property of such Body Corporate respectively by this Act vested in the said body so incorporated, Commissioners or Guardians of the Poor, by the same actions, suits, remedies or proceedings against the said body so incorporated, Commissioners or Guardians of the Poor, and in the same manner as he or they respectively might have recovered or enforced the same against such Body Corporate respectively, if this Act had not been made; but the costs of the said body so incorporated, Commissioners or Guardians of the Poor, in any such actions, suits, remedies or other proceedings, shall be raised and paid out of the property of such Body Corporate respectively hereby vested in them in preference to any sum of money, costs, damages or expenses, claim or demand in favour of any such person or Body Corporate claiming as aforesaid: Provided always, That no action or suit, or right of action or suit, right of entry, possibility, claim or demand, present or future, vested or not vested, by or against, of or for any such Body Corporate, Commissioners or Guardians of the Poor, nor any proceeding to which such Body Corporate, Commissioners or Guardians of the Poor shall be parties or privies, shall abate, be discontinued or affected by any dissolution, transfer of right or estate, or other

111.
Property
vested in the
Commis-
sioners to be
subject to the
claims of cre-
ditors, &c.
of the Corpo-
rations.

matter or thing happening by reason of any of the provisions of this Act ; but that in every such action, suit or proceeding, an entry or suggestion as of record shall be made of the event so happening under this Act, from time to time, and thereupon such action, suit or proceeding shall be carried on by or against such Commissioners, Guardians of the Poor, or body so incorporated, as fully as if no such dissolution, transfer of right or estate, matter or thing had happened. 5

112.
Com-
mis-
sioners em-
powered to
bring and
defend
Actions, and
compromise
and settle
Accounts.

And be it Enacted, That it shall be lawful for any Commissioners, Guardians of the Poor, or body so incorporated in any Borough to commence and prosecute any actions, suits or proceedings for collecting and recovering the property of the Body Corporate named in the said Schedule (B.) to this Act annexed in conjunction with such Body respectively, and to discontinue or compromise any such action, suit or proceeding, and to allow any time which they may think proper for payment of any money due and owing to them in respect thereof, and also to pay any debt or sum of money claimed to be due from any such Body Corporate and to be payable out of such property, upon any evidence which they may think proper to admit, and to defend or compromise any action, suit or other proceeding which may be brought against them by virtue of this Act, and to adjust and settle any account or accounts depending between such Body Corporate and any person or any other Body Corporate, and to submit to arbitration any difference between such Body Corporate or the said Commissioners, Guardians of the Poor, or body so incorporated, and any other person relating to the property of such Body Corporate, and abide by and perform the award of any arbitrator respecting the same, and to do, perform and execute all such deeds and things as they, the said Commissioners, Guardians of the Poor, or body so incorporated respectively, shall think expedient for ascertaining and collecting in the most advantageous manner the property vested in them by virtue of this Act, and settling all claims and demands relating thereto. 10 15 20 25 30

113.
Com-
mis-
sioners to
keep an ac-
count of the
property of
the Corpora-
tion, which
shall be
called the
Town Fund
of the Town.

And be it Enacted, That the said Commissioners of every Borough shall cause an account to be kept of the property belonging to the Body Corporate named in the said Schedule (B.) to this Act annexed in conjunction with such Borough, and vested in such Commissioners by virtue of this Act, and of all rents, profits, revenue, income and sums of money to be received in respect thereof or produced therefrom, and of the application and appropriation thereof ; and the property comprised in every such account (which in the case of Galway shall include the purchase monies of the Advowsons hereinbefore directed to be sold) shall be called the Town Fund of the Borough for which such Commissioners respectively shall have been 35 40

been chosen ; and all sums of money received by the Treasurer of such Commissioners in respect of the property comprised in every such account shall, when the same shall not be directed by the said Commissioners to be immediately applied to any other purpose, be
 5 paid into the Bank of Ireland in the name of the Treasurer of such Commissioners to an account to be called the Account of the Town Fund of the Borough of which the same shall form part.

And be it Enacted, That the said Commissioners of every Borough shall, with all convenient speed, pay or make due provision
 10 for payment out of the Town Fund of such Borough of the outgoings, rates and charges payable in respect of the property therein comprised, and of all charges and incumbrances payable thereout, and of all debts, annuities, pensions, allowances and sums of money payable by the Body Corporate to whom the property comprised in
 15 such Town Fund shall have belonged.

And be it Enacted, That it shall be lawful for the said Commissioners of every Borough, from time to time, to cause any repairs to be made to any buildings or premises which they may think expedient, and to insure any buildings from loss or damage by
 20 fire, and pay the expenses of such repairs and insurances out of the said Town Fund, and also to cause to be invested in their names, or in the name of their Treasurer, any monies forming part of any such Town Fund, in any stocks, funds or securities, and alter and vary such stocks, funds and securities as they shall think proper, and in
 25 all other respects manage the property comprised in every or any such Town Fund, and invest or dispose of the same and all revenues thereof in such manner as they shall think most advantageous.

And be it Enacted, That it shall be lawful for the said Commissioners of any Borough to appropriate and settle any Town Hall,
 30 Police Office, or other public building in any Town forming part of the Town Fund of such Borough respectively, for the purposes of a Court for the holding of Quarter Sessions, or a Court of Record for Civil Actions, or a Court of Conscience, or Police Station, or other public use for the benefit of the inhabitants of such
 35 Borough.

AND whereas it is expedient that the administration of any real or personal estate of which any Body Corporate now stands seised or possessed in trust as to the whole or in part for certain charitable trusts be kept distinct from that of the public stock and Borough
 40 Fund ; BE it Enacted, That in every Borough in which the Body Corporate, solely or together with any one or more of the Members of such Body Corporate, in his or their corporate capacity, or with

114.
Commissioners may pay debts due from Corporations.

115.
Commissioners may insure buildings and manage Revenues.

116.
Commissioners may appropriate public Buildings to public purposes for the benefit of the Towns.

117.
Charitable Trustees.

any person or persons elected from among or out of the members or
 any of the members of such Body Corporate, or any person or persons
 elected solely by such Body Corporate, or solely by any particular
 number, class or description of members, of such Body Corporate,
 now stands seised or possessed for any estate or interest whatsoever 5
 of any hereditaments, or any sums of money, chattels, securities for
 money, or any other personal estate whatsoever, in whole or in
 part, in trust or for the benefit of any charitable uses or trusts
 whatsoever, or is or are empowered to direct the application of the
 rents, profits or produce of any hereditaments, or any sum or sums of 10
 money, chattels, securities for money, or other personal estate what-
 soever, for any charitable purpose, all the estate, right, interest and
 title, and all the powers of such Trustee or Trustees, shall, on the
 day on which this Act shall come into operation in any such Borough,
 be vested in the persons who shall on the same day have been the 15
 Mayor, Aldermen and Common Council or other governing Officers
 of such Body Corporate, alone or together with the person or persons
 who shall have been seised or possessed of or entitled to exercise the
 same together with such Body Corporate (as the case may be),
 and shall continue vested in such persons until the Third day of 20
 November in the year One thousand eight hundred and forty,
 or until Parliament shall otherwise order; and if any vacancy
 shall be occasioned among such Charitable Trustees for any
 Borough before any other provision shall be made by Parlia-
 ment, it shall be lawful for the Lord Chancellor of Ireland, then 25
 for the time being, upon petition in a summary way, to appoint a fit
 person to be Trustee to supply such vacancy; and all the estate,
 right, interest and title at law and in equity of and in such trust
 estates, hereditaments and premises, shall forthwith, without any
 conveyance or assignment thereof, pass to and be vested in the 30
 Trustee so appointed, jointly with the other Trustee or Trustees;
 and if Parliament shall not otherwise direct on or before the said
 Third day of November, the Lord Chancellor then shall make such
 orders as he shall see fit for the appointment of a Trustee or Trustees,
 and the administration of such trust estate, subject to such charitable 35
 uses or trusts as aforesaid; and thereupon the Trustee or Trustees
 so appointed shall come in the room of the persons heretofore
 named or continued as Trustees, and all the estate, right, interest
 and title at law and in equity of and in such trust estates, heredita-
 ments and premises shall forthwith, without any conveyance or 40
 assignment thereof, pass to and be vested in the Trustees so ap-
 pointed by the Lord Chancellor: Provided always, That where any
 hereditaments or any sums of money, debts or securities for money,
 or any other personal estate, held upon any charitable uses or
 trusts as aforesaid, or any part thereof, shall be exclusively appli-
 cable to or towards the establishment, maintenance or support of
 religious

religious education or religious worship according to the principles of the Protestant Church of the United Kingdom of Great Britain and Ireland, or for the benefit of any person or persons of any other religious class or denomination of Her Majesty's subjects, no person
 5 except a member of the said United Church, or, as the case may be, who shall not profess the principles of such other religious class or denomination, for the promoting of whose education or worship, or for whose benefit any such property as aforesaid may be applicable, shall be appointed by the Lord Chancellor to be a Trustee of such
 10 hereditaments or personal estate, or any part thereof; and if any person who shall be appointed such Trustee shall at any time thereafter become a convert to or profess the religious principles of any class or denomination different from the religious principles of the class or denomination for the promoting of whose education or
 15 worship, or for whose benefit any such property as aforesaid may be applicable, he shall thereupon be removed from being such Trustee by the Lord Chancellor, for whom it shall be lawful, upon petition in a summary way, to appoint a fit person to be a Trustee to supply such vacancy; and all his estate, right, title and interest, power and
 20 authority in, to, over and upon such real and personal estate, shall thereupon vest, in like manner as if he had died, in the Trustee so appointed, jointly with the other Trustee or Trustees: Provided always, That no use or trust for cleansing, lighting, paving or supplying with water any city, town or borough shall be deemed a
 25 charitable use or trust within the meaning of this enactment.

And be it Enacted, That from and after the time when this Act shall come into operation in any Borough, the Body Corporate of such Borough shall be trustees for executing by the Council of such Borough the powers and provisions of all Acts of Parliament made
 30 before the passing of this Act (other than Acts made for securing charitable uses and trusts, or Acts relating to profitable trusts for shareholders or proprietors with respect to which provision is hereinafter made), and of all trusts (other than charitable uses and trusts) of which the Body Corporate, or any member or members of
 35 the said Body Corporate in their corporate capacity, was or were sole trustees before the time of the first election of Councillors in such Borough under this Act.

118.
Corporation
to execute
Trusts.

And be it Enacted, That from and after the time when this Act shall come into operation in any Borough in which any member
 40 of the Body Corporate, or any person elected from among or out of the members of such Body Corporate, or any person elected by such Body Corporate, or a particular or limited number, class or description of members of the Body Corporate, shall be, when this Act shall so come into operation, Trustee solely or jointly

119.
As to election
of a limited
number of
Councillors to
be joint Trus-
tees for cer-
tain purposes.

with any other Trustee for the execution of any Act of Parliament, or of any trust other than any act or trust for which any other provision is hereinbefore made, or by any statute, charter, bye-law or custom, shall be when this Act shall so come into operation lawfully appointed to or authorized to exercise any powers, duties or functions whatsoever not otherwise herein provided for, and the continuance of which is not inconsistent with the provisions of this Act, such acts, trusts, powers, duties and functions shall, after this Act shall have come into operation, be executed by the person who shall hereafter correspond in office with the person by whom the same ought to be executed, before this Act shall come into operation; and in case there shall be no such person, then the Council of the Body Corporate shall, by writing under the seal of the Body Corporate, appoint the person who in their judgment shall most nearly correspond with such person, to execute such acts, trusts, powers, duties and functions; and every person so appointed is hereby authorized and empowered to execute the same as fully as the person by whom the same ought to be executed, before this Act shall come into operation, until the appointment of another person in his room, as hereinafter provided: Provided always, That all powers and trusts not otherwise herein provided for which by any Act of Parliament or otherwise are vested in or exercised by any Body Corporate named in the said Schedule (B.) which shall be dissolved by virtue of this Act, or any member or members thereof in his or their corporate capacity, or any limited number, class or description thereof, or any person or persons elected from among or out of the members of such Body Corporate or any of them, or any person or persons elected by such Body Corporate or any member or members thereof, shall, upon the day on which such Body Corporate respectively shall be dissolved, and thenceforth until the grant of a Charter of Incorporation as hereinbefore directed, and the election of a Council thereunder, or until Parliament shall otherwise provide, be exercised in manner hereinafter mentioned; (that is to say) such of the said powers as relate to the appointment of Justices of the Peace or Magistrates or to the appointment of other Officers for the administration of justice, or in anywise relating thereto, or to the appointment of Constables or other persons for purposes relating to Police, shall be exercised by the Lord Lieutenant as if he had been named in such Act of Parliament respectively instead of such Body Corporate, or member or members, person or persons, and all other of the said powers not otherwise herein provided for shall be exercised, alone, or together with such other persons (if any) as would have been entitled to join in exercising the same if this Act had not been passed, by the said Commissioners: Provided also, That in every case in which any Body Corporate named in the said Schedule (B.) to this Act annexed which

OS 1
Saving provisions of
Local Acts in
Towns in
Schedule (B.)

Other Corporations of
which any

which shall be dissolved by virtue of this Act, or any One or more of the members of such Body Corporate in his or their corporate capacity, or any limited number, class or description of the members thereof, or any person or persons elected from among or out of the members of such Body Corporate, or any person or persons elected by any such Body Corporate, or any member or members thereof, is any other Body Corporate, or part of, or is or are a member or members of any other Body Corporate for any charitable or public or other purpose, such other Body Corporate shall continue in force as if this Act had not been passed; and on the day of the dissolution of such Body Corporate respectively, and thenceforth until the grant of a Charter of Incorporation as hereinbefore directed, and the election of a Council thereunder, or until Parliament shall otherwise provide, where any Body Corporate named in the said Schedule (B.) to this Act annexed is such other Body Corporate or part thereof, then, instead of such Body Corporate, the said Commissioners, where there shall be such Commissioners, shall be members of such Body Corporate.

Body Corporate named in the Schedule, or any of its members, form part, to be continued.

And be it Enacted, That in every case in which any such person as aforesaid is, in pursuance of any such statute, charter, bye-law, custom, deed, will, or otherwise, elected or appointed for a definite term of years or other shorter term, then on the day or time named in such Act, charter, bye-law, deed or will as last aforesaid for a new election, nomination or appointment of Trustees, or on which such new election, nomination or appointment has usually been made; and if he shall have been so elected or appointed for life or for an indefinite period, or if there shall be no such day named or usually observed, then upon the first day of January in every year, some other person, or the same if re-eligible, shall be elected as nearly as may be in the like manner as the person ceasing to be Trustee, or ceasing to exercise such powers, duties and functions, and in whose room he shall be appointed, and in every case of extraordinary vacancy among such Trustees or persons, another person shall be elected to supply such vacancy in like manner as nearly as may be as such extraordinary vacancy would have been supplied before this Act shall have so come into operation as aforesaid; or where such vacancy cannot be supplied in such or the like manner, the Council shall forthwith appoint a person in the room of the person by whom such vacancy has been made, and every person appointed to supply an extraordinary vacancy shall hold his trust or office for such time as the person by whom such vacancy has been made would regularly have held it.

120.
Provision for the Election of future Trustees.

And be it Enacted, That notwithstanding any thing in this Act contained, every member of any Body Corporate or of any particular number, class or description of members of such Body Corporate, or any person elected from among or out of the members

121.
Present Trustees of certain Acts continued for a definite time.

of such Body Corporate or any of them, or any person elected by any particular number, class or description of members of such Body Corporate, who at the time of the passing of this Act shall be for a definite number of years or other shorter time a Trustee of such acts or trusts as last aforesaid, shall continue to be such Trustee until the time when he would have ceased to be such Trustee if this Act had not been passed; and if a Trustee for an indefinite time, or for life, or for so long as he shall be a member, or of a particular class or description of such Body Corporate, then until the First day of January in the year following that in which this Act shall come into operation in that Borough, and no longer; and every member of the Council appointed under the provisions of this Act to be a Trustee of such acts or trusts as last aforesaid, shall continue to be such Trustee until the time herein provided for the new appointment of a member of the Council to be Trustee in his room, notwithstanding that he may have ceased to be a member of the Council; and in case any particular officer of any of the said Bodies Corporate shall have been appointed by any Act, charter, bye-law, deed, will or custom as aforesaid, to perform during a definite number of years or other shorter time any specific trusts, powers, duties or functions whatsoever, the person who at the time of the passing of this Act shall be the person designated and qualified to perform the same, shall continue to perform the same until the time when he would have ceased to perform the same if this Act had not passed; and if appointed for an indefinite time, or for life, or for so long as he shall be a member, or of a particular class or description of such Body Corporate, then until the last-named First day of January, and no longer.

122.

Powers
vested in
Trustees may
be transferred
to Council-
lors.

AND whereas it may be expedient that the Powers now vested in the Trustees appointed under sundry Acts of Parliament for paving or lighting or cleansing, or supplying with Water, or improving certain Boroughs, or certain parts thereof, save and except as hereinafter mentioned, should be transferred to and vested in the Councils or Commissioners of such Boroughs respectively; BE it Enacted, That the Trustees appointed by virtue of any such Act as last aforesaid, wherein the Trustees, or the persons whose Trustees they may be, are not beneficially interested, or the greater part of such Trustees for the time being, may, if it shall seem to them expedient at a Meeting to be called for that purpose, transfer in writing all the powers vested in them as such Trustees by any such Act or Acts as aforesaid to the said Body Corporate of such Borough, or to the Commissioners acting under this Act for such Borough (as the case may be); and the said Body Corporate or Commissioners of such Borough shall thenceforth be Trustees for executing by the Council of such Borough, or by the Board of Commissioners (as the case may be), the

the several powers and provisions of any such Act or Acts of Parliament, and the members of the Council, or the Commissioners (as the case may be), shall have the same powers and be subject to the same duties as if their names had been originally inserted in such Act or Acts (or as if they had been elected under the provisions of any such Act or Acts) as such Trustees respectively: Provided always, That nothing herein contained shall extend to enable the Commissioners for paving, cleansing and lighting the streets of Dublin, or the Commissioners for making wide and convenient streets in the City of Dublin, or the Corporation for improving the Port and Harbour of Dublin, so to transfer the powers vested in them respectively.

AND whereas by an Act passed in the sixth year of the reign of his said late Majesty, intituled, " An Act to consolidate the Laws relating to the Constabulary Force in Ireland," it is among other things enacted, that it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland to appoint from time to time, at his will and pleasure, in and for each barony, half of barony, or other division of barony in each county at large, one Chief Constable, two Head Constables, and any number of Constables and Sub-constables not exceeding Sixteen: AND whereas the force thereby provided is less than may in some cases be required in Baronies which comprise large Towns: AND whereas it is reasonable that the expense of the additional Force required in such Towns should be borne by such Towns, and not by the Counties at large in which they are situated; BE it therefore Enacted, That if any Council of any Borough named in the Schedule (A.) to this Act annexed shall think it necessary that an additional Constabulary Force should be stationed in such Borough above the proportion of the said Force therein stationed under the provisions of the said last-recited Act, it shall be lawful for the Council of such Borough to present a Memorial to the Lord Lieutenant, setting forth the additional Constabulary Force which is required for the said Borough; and thereupon it shall be lawful for the Lord Lieutenant to add to the Constabulary Force of the County or Counties wherein such Borough shall be situated any such number of Constables, Sub-constables and Officers of the said Force, not exceeding the number required by the said Council in their Memorial, as he shall think fit; and the amount of the Constabulary Force stationed in the said Borough shall be increased accordingly, and such additional Force shall form part of the general Constabulary Force, and be subject in all respects to the same rules and discipline as the residue of the said Force.

123.
Provision for additional Constabulary Force.

And be it Enacted, That the expense of the said additional Force shall be advanced and defrayed in like manner as the expenses of the Force appointed by the last-recited Act are to be advanced and

124.
Payment of the additional Constabulary Force.

defrayed : Provided however, That no part of the expense of such increased Force shall be borne by the County or Counties at large in which such Borough shall be situated ; but the said Borough for whose service the said increase shall be made shall bear such proportion of such expenses as the Counties at large under the said last-recited Act are bound to contribute towards the expenses of the Constabulary Force appointed for this service ; and such expenses shall be paid out of the Borough Fund, and shall be paid by the Treasurer of the Borough to the person authorized to receive the monies which the County at large in which such Borough shall be situated is liable to pay towards the expenses of the said Force ; and when any such Borough shall be situated in more than one County, then the Treasurer shall pay the said sums to such of the persons authorized to receive such payments from any of the said Counties as the Inspector-general of the Constabulary Force shall direct : Provided always, That it shall be lawful for the Lord Lieutenant, at any time he shall think fit, to reduce, either in the whole or part, the said additional Force ; and it shall be also lawful for the Council of the said Borough in which such additional Force shall have been stationed to present from time to time a Memorial to the Lord Lieutenant, stating that they are desirous that the said Force should be reduced in the whole or in part, and thereupon the Lord Lieutenant shall, within Twelve calendar Months from the presentation of the said Memorial, make the required reduction in the said Force.

125.
Power for
Council to
order parts
of Borough,
not within
Local Acts as
to lighting, to
be included in
such Act.

AND whereas parts of certain Boroughs are within the provisions of one or more Local Act or Acts for regulating the lighting thereof, and certain other parts of the same Boroughs are not within the provisions of any Local Act for regulating the lighting thereof, and for want of such lighting great facilities may be afforded for the commission of crimes and for the escape of the offenders ; FOR Remedy thereof, BE it Enacted, That it shall be lawful for the Council of any Borough in any part of which there is a Local Act for the lighting thereof, to make an order that any part of such Borough, not being within the provisions of any Local Act for the lighting thereof, shall, from and after a certain day to be named in such order, be taken to be within the provisions of such Local Act or Acts for lighting any part of such Borough as the Council shall specify in such order ; and after such day the part named in such order shall be within the provisions of the Act or Acts so specified, so far as relates to lighting, or to any rates authorized to be levied for the purpose of lighting, as fully as if such part had been originally named in such Act or Acts, any thing in such Act or Acts to the contrary notwithstanding : Provided always, That every part named in such order shall be lighted in the like manner as those parts which before the making of such order were within the provisions

Proviso as to
Amount of
Rate for
lighting.

visions of such Local Act, and that the Rate to be raised for the purpose of defraying the expenses of lighting any part so named in such order shall not exceed the average expense in the pound of the lighting of the other parts of such Borough.

5 And be it Enacted, That the Council of any Borough named in the said Schedule (A.) shall have and exercise on the First day of January next after this Act shall come into operation in such Borough the Powers given to the Commissioners under the said Act made in the ninth year of the reign of his Majesty King GEORGE the Fourth, intituled, "An Act to make Provision for the lighting, cleansing and
10 watching of Cities, Towns Corporate, or Market Towns in Ireland, in certain cases," so far as relates to the lighting of such Borough, or of any part of such Borough, which is not within the provisions of any Local Act for lighting the same, and the powers and duties
15 vested in such Commissioners (if any) in regard to lighting shall thereupon cease and determine; but the Council shall and they are hereby authorized and required to levy rates for the purpose of lighting such part of the Borough, not according to the powers contained in the said Act of the ninth year of the reign of his Majesty King
20 GEORGE the Fourth, but according to the provisions hereinafter contained for levying and raising a Borough Rate: Provided always, That the appeal given by the said Act to any person who may think himself aggrieved by any rate laid for the purpose of lighting, shall not be to the Council, but in like manner as appeals
25 against the Borough Rate hereinafter mentioned.

126
Council may assume the powers of Commissioners under 9 G. 4. c. 82. for lighting Streets of any Borough.

And be it Enacted, That it shall be lawful for the Council of any Borough to make such Bye Laws as to them shall seem meet for the good rule and government of the Borough, and for prevention and suppression of all nuisances as are not already punishable
30 under any Act already in force throughout such Borough, and to appoint by such Bye Laws such fines as they shall deem necessary for the prevention and suppression of such offences: Provided, That no fine so to be appointed shall exceed the sum of Five Pounds, and that no such Bye Law shall be made unless at least Two-thirds of the
35 whole number of the Council shall be present: Provided also, That no such Bye Law shall be of any force until the expiration of Forty Days after the same or a copy thereof shall have been sent, sealed with the Seal of the said Borough, to the Lord Lieutenant, and shall have been affixed on the outer door of the Town Hall, or in some
40 other public place within such Borough; and if at any time within the said period of Forty Days the Lord Lieutenant, with the advice of the Privy Council of Ireland, shall disallow the same Bye Law, or any part thereof, such Bye Law, or the part thereof disallowed, shall not come into operation: Provided also, That it shall be

127.
Council to have power to make Bye Laws.

34. It is further enacted, That it shall be lawful

lawful for the Lord Lieutenant at any time within the said period of Forty Days to enlarge the time within which such Bye Laws, if disallowed, shall not come into force, and no such Bye Law shall in that case come into force until after the expiration of such enlarged time.

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128.
Bye Laws to
be printed.

And be it Enacted, That the Town Clerk of every Borough shall, under the directions of the Council thereof, cause all the Bye Laws and Regulations in force in such Borough from time to time to be printed in a uniform and convenient form, and shall keep copies thereof publicly affixed in the office of such Town Clerk, and in every public office and Court of such Borough of or belonging to or connected with the Corporation thereof, for the free and open inspection of all persons, without any fee, at all reasonable hours, and shall deliver a copy of such Bye Laws and Regulations to any person requiring the same, on payment of such reasonable price for the same as the Council shall from time to time direct; and if any person shall wilfully and maliciously pull down, destroy or deface any copy of such Bye Laws and Regulations which shall be so affixed as aforesaid, such person shall for every such offence forfeit and pay any sum not exceeding Twenty Shillings: Provided further, That no Bye Law to be made by the Council of the Boroughs of Coleraine and Londonderry respectively shall be sent to the Lord Lieutenant until the same shall have been approved of by the Honourable Society of the Governor and Assistants of London of the New Plantation in Ulster within the Realm of Ireland.

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129.
As to breaches
of Bye Laws.

And be it Enacted, That all the provisions hereinafter contained relative to offences against this Act, punishable upon summary conviction, shall be taken to apply to all offences committed in breach of any Bye Law or Regulation made by virtue of this Act.

130.
All Corporate
Property and
all Fines to
be received
on account of
the Borough
Fund.

And be it Enacted, That after the election of the Treasurer in any Borough, the rents, issues and profits of all hereditaments, estates and tenements, and the interest, dividends and annual proceeds of all monies, dues, chattels and valuable securities, except those vested or continued in other Trustees as aforesaid, belonging or payable to the Body Corporate or reputed or late Body Corporate of that Borough, or to any member or officer thereof in his corporate capacity, and every fine or penalty for any offence against this Act (the application of which has not been herein provided for) shall be paid to the Treasurer of or acting for that Borough under this Act; and all the monies which he shall receive as such Treasurer shall be carried by him to the account of a fund to be called "The Borough Fund," or "The Town Fund," as the case may be.

35

40

And

And be it Enacted, That the Treasurer of any Borough shall pay no money on account of the Mayor, Aldermen and Burgesses of such Borough, or on account of the Commissioners acting for such Borough, under the provisions of this Act, save only in such case as is provided by this Act, or upon the order in writing of the Council or Commissioners signed by Three or more Members, and countersigned by the Town Clerk of such Borough, or for the payment of the salaries granted to any Recorder or Police Magistrate as hereinafter provided, or by order of the Court of Sessions of the Peace for the Borough, or of a Justice of the Peace acting in and for the Borough in the discharge of his judicial duty, in such case as is provided by this Act, or in such case as a Court of Sessions of the Peace for any County, or a Justice of the Peace acting in and for a County in the discharge of his judicial duty, may make an order for the payment of money on the Treasurer of such County, and that any Burgess or person qualified to vote at the election of such Commissioners shall be at liberty at all seasonable times to make a copy of any such order, or take an extract therefrom.

131.
Treasurer to pay no Money but by Order of Council.

AND whereas it is expedient to give all persons interested in the Borough Fund of any Borough a more direct and easy remedy for any misapplication of such Fund; BE it therefore Enacted, That any order of the Council or Commissioners of any Borough for the payment of any sum of money from or out of the Borough Fund of any such Borough may be removed into the Court of Queen's Bench in Ireland by Writ of Certiorari, to be moved for according to the usual practice of the said Court with respect to Writs of Certiorari, and that such order may be disallowed or confirmed upon motion and hearing, with costs, according to the judgment and discretion of the said Court.

132.
Orders for payment of Money may be removed into the Court of Queen's Bench in Ireland by Certiorari.

And be it Enacted, That the Borough Fund, subject to the payment of any lawful debt due from such Body Corporate to any person which shall have been contracted before the passing of this Act, and unredeemed, or of so much thereof as the Council of such Borough from time to time shall be required or shall deem it expedient to redeem, and to the payment from time to time of the interest of so much thereof as shall remain unredeemed, and saving all rights, interests, claims or demands of all persons or Bodies Corporate in or upon the real or personal estate of any Body Corporate, by virtue of any proceedings either at law or in equity, which have been already instituted or which may be hereafter instituted, or by virtue of any mortgage or otherwise, shall be applied towards the following purposes; (that is to say) the payment of the salary of the Mayor and of the Recorder and of the Police Magistrate hereinafter mentioned, when there is a Recorder or Police

133.
Salaries of Recorder, Town Clerk, Treasurer, and other Officers and Election Expenses to be paid out of such Fund.

Magistrate, and of the respective salaries of the Town Clerk and Treasurer, and of every other Officer whom the Council shall appoint, and also toward the payment of the expenses incurred from time to time in preparing and printing burgess rolls and notices, and in other matters attending such elections as are herein mentioned; and in Boroughs which shall have a separate Court of Sessions of the Peace, as is hereinafter provided, towards the expenses of the prosecution, maintenance and punishment of offenders committed from the Borough for trial at the Sessions of the Peace for such Borough; and towards the expense of providing and maintaining the Corporate Buildings; and towards the payment of all other expenses which shall be necessarily incurred in carrying into effect the provisions of this Act; and in case the Borough Fund shall be more than sufficient for the purposes aforesaid, the surplus thereof shall be applied under the direction of the Council, for the public benefit of the inhabitants and improvement of the Borough.

^{134.}
Tolls or Dues payable before the passing of this Act not to be altered or reduced until payment of the Debt chargeable thereon.

Provided always, and be it Enacted, That it shall not be lawful for the Council to be elected under the provisions of this Act in any Borough in which the Body Corporate named in conjunction with the said Borough in the said Schedule (A.) before the time of the passing of this Act, shall have contracted any lawful debt lawfully chargeable on any tolls or dues belonging or payable to the said Body Corporate, or to any member or officer thereof in his corporate capacity, or towards the satisfaction whereof such tolls or dues or any part thereof were lawfully applicable before the passing of this Act, to alter or reduce the amount to be levied and payable of such tolls or dues, or to grant for any consideration any remission of or exemption from such tolls or dues, or any part thereof, unless with the consent in writing under the hands of a majority in number and amount of the creditors to whom such debt is due, until after such debt and all arrears of interest due thereon shall have been fully paid and satisfied: Provided also, That the said Commissioners of any Borough shall be and they are hereby empowered, to abolish any tolls forming part of the Town Fund of such Borough, after full payment or satisfaction of all debts and charges upon the said tolls, or to which they may be liable, which it may be thought desirable to abolish, and also to purchase any tolls which it may be thought desirable to purchase, in order that the same may be abolished, and after the conveyance thereof to them to abolish the same; and the said Commissioners shall cause notice to be given of the abolition of all such tolls as shall be abolished as aforesaid, by advertisement in the Dublin Gazette, and also in one or more newspaper or newspapers usually circulated in the town in which such tolls respectively shall be payable.

Commissioners may abolish Tolls.

And

And be it Enacted, That in case, after payment of all debts due from such Body Corporate, and contracted before the passing of this Act, and after satisfaction of all lawful claims upon the real and personal estate of such Body Corporate, the Borough Fund shall not be
 5 sufficient for the purposes aforesaid, or in case there shall be no Borough Fund, the Council of the Borough is hereby authorized and required from time to time to estimate, as correctly as may be, what amount, in addition to such fund, or when there shall be no such fund, will be sufficient for the payment of the expenses to be in-
 10 curred in carrying into effect the provisions of this Act; and in order to raise the amount so estimated, and also for the purpose of defraying the expenses of putting this Act into execution which may have been incurred before the making of any Borough Rate, the said Council is hereby authorized and required from time to time to order a
 15 Borough Rate to be made within their Borough, and for that purpose the Council of such Borough shall have within their Borough all the powers and authorities which any Commissioners in any Borough in Ireland have within the limits of their Commission by virtue of the said last-recited Act of the ninth year of the reign of his
 20 Majesty King GEORGE the Fourth, and shall observe and preserve the provisions thereof as if the same were herein recited, or as near thereto as the nature of the case will admit; except that every such Rate shall be and is hereby authorized to be assessed and levied and raised from and off the owners, occupiers or tenants of all heredita-
 25 ments rateable for the relief of the destitute Poor in Ireland, in an equal and uniform manner, according to the yearly value at which the same shall be estimated for the purpose of a Rate for the relief of the destitute Poor within such Borough, and whether the same shall or shall not be under the yearly value of Five Pounds:
 30 Provided always, That such persons only shall be liable to pay the Borough Rate in respect of hereditaments under the value of Five Pounds, who shall be rated in respect thereof to a rate for the relief of the destitute poor within such Borough, and subject to the provisions contained in the said Act for the relief of the destitute poor
 35 in Ireland, with reference to property of which the net annual value shall not amount to Five Pounds; and all such sums levied in pursuance of such Borough Rate shall be paid over to the account of the Borough Fund.

135.
 Council au-
 thorized to
 raise Funds
 for payment
 of Expenses
 incurred in
 carrying this
 Act into
 execution.

And be it Enacted, That if any person shall think that any estimate
 40 or valuation made for levying any rate for the purposes of this Act is erroneous, either as being an excessive estimate of property belonging to him, or an insufficient estimate of property belonging to another, it shall be lawful for such person, at any time after the expiration of Twenty Days next after the making and publishing of such rate, to appeal against such estimate, and he shall in that case

136.
 Appeal to the
 Recorder or
 Assistant Bar-
 rister of the
 county.

before the expiration of such Twenty Days deliver to the Town Clerk of such Borough a notice signed by him, specifying for which of the said objections to such estimate he complains ; and such appeal shall be heard and determined in every Borough in which there shall be a Recorder under this Act, by the Recorder of the Borough at the sitting of his court, held next after the expiration of such Twenty Days ; and when there shall be no such Recorder, it shall be heard and determined by the Assistant Barrister of the county having jurisdiction to hear and determine suits by civil bill for the district in which the property estimated shall be situated, at the sessions held for such district next after the expiration of such Twenty Days ; and such Recorder or Barrister shall have power to award to or against the person appealing such costs, not exceeding Ten Shillings, as he shall think fit, and to issue a decree against the party appealing for any costs awarded against him, which shall have the force of a decree in a suit by civil bill, and, in case he shall award costs to be paid to him, to make an order on the Treasurer of such Borough to pay the sum out of the Borough rate, which order the said Treasurer shall obey, and the determination of such Recorder or Barrister shall be conclusive : Provided, however, That no such Recorder or Barrister shall entertain such appeal without proof that such notice as aforesaid was given ; and provided also, That he shall not have power to inquire into any objection to such estimate, save the one specified in such notice ; and that if such appeal shall not be prosecuted effectually by the person appealing, the estimate shall be taken to be conclusive, notwithstanding such notice.

137.
Act not to
render Cor-
porate Pro-
perty liable
for Debts not
chargeable
thereon, nor
to authorize
the levy of
new Rates for
payment of
Debts.

And be it Enacted, That nothing in this Act contained shall be construed to render liable to the payment of any debt contracted before this Act shall come into operation in any Borough by any Body Corporate any part of the real or personal estate of the said Body Corporate which before this Act shall have so come into operation was not liable thereto, or to authorize the levy of any rate within any part of any Borough for the purpose of paying any debt contracted before the passing of this Act, which before the passing of this Act could not lawfully be levied therein towards the payment of the same.

138.
Accounts of
Receipts and
Disburse-
ments to be
kept, audited
and published.

And be it Enacted, That the Treasurer of every Borough shall, in Books to be kept for that purpose, enter true accounts of all sums of money by him received and paid on account of the purposes of this Act, and of the several matters for which such sums shall have been paid ; and the books containing such accounts shall at all reasonable times be open to the inspection of the Mayor or any of the Aldermen or Councillors or Commissioners of such Borough ; and it shall be lawful for the Mayor or for any Alderman

or

or Councillor or Commissioner, at all seasonable times, to make any copy of or take any extract from any such book; and all the accounts, with all vouchers and papers relating thereto, shall, in the months of March and September in every year, be submitted by
 5 the Treasurer of the Borough to the Auditors hereinbefore provided to be elected, and to such member of the Council or Board of Commissioners as the Mayor or Chairman shall name as a third Auditor, on the First day of March in every year, or in case of
 10 extraordinary vacancy within Ten Days next after such vacancy, for the purpose of being examined and audited, from the First day of September in the year preceding to the First day of March, and from the First day of March to the First day of September in the year in
 15 which the said Auditors were elected and named; and if the said accounts shall be found to be correct, the Auditors shall sign the same; and after such accounts shall have been so respectively examined and audited in the month of September in every year, each
 20 Treasurer shall make out in writing, and shall cause to be printed, a full abstract of his accounts for the year, and a copy thereof shall be open to the inspection of all the Rate-payers of such Borough, and copies thereof shall be delivered to all Rate-payers of such
 Borough applying for the same, on payment of One Shilling for each copy.

And be it Enacted, That the Council of every such Borough in which this Act shall be in operation, and the Commissioners or
 25 Guardians of the Poor of every Town in which any Commissioners or Guardians of the Poor shall act, by virtue of the provisions herein contained, shall, before the First day of February in each year, transmit to the Lord Lieutenant a statement of all monies received and expended on account of such Corporation or Commissioners
 30 or Guardians of the Poor (as the case may be) under this Act, or in anywise relating to the Borough Fund or Town Fund of such Borough within the year preceding, which statement shall be prepared in such form and manner as the Lord Lieutenant shall direct, and such accounts shall refer and be made up to the audit next
 35 before the First of January of the year in which such account is hereby required to be so transmitted; and an abstract of such statements and accounts, under general heads, shall be laid before both Houses of Parliament, during their sitting, in the same year in which they are hereby required to be transmitted as aforesaid;
 40 and a copy thereof shall be deposited with the Town Clerk or with such person resident in such town as such Commissioners or Guardians shall appoint to execute the duties of Town Clerk therein, and shall be open to the inspection of all the inhabitants of such borough or town, and copies thereof shall be delivered to all inhabitants of

139.
 Councils to transmit yearly Accounts of Income and Expenditure to Lord Lieutenant, and an Abstract thereof to be laid before Parliament, and published

such borough or town applying for the same, on payment of One Shilling for each copy.

140.
Provision for
auditing Ac-
counts of
the Cork
Wide-street
Commis-
sioners.

AND whereas by an Act passed in the third year of his late Majesty King GEORGE the Fourth, intituled, "An Act for amending the several Acts in force for making wide and convenient Streets, Ways and Passages in the City of Cork and the Suburbs thereof, and for paving, cleansing, lighting, and otherwise improving the said City, and for regulating the Court of Conscience established therein," it was enacted, That on the day of the annual appointment of the Auditors of the Accounts of the Mayor, Sheriffs and Commonalty of the City of Cork in the Court of D'Oyer Hundred of the said City, Auditors should be also then chosen to examine and audit the Accounts to be kept by the said Commissioners and their successors, and to examine into the application and expenditure of the money to be received by them, and that such Accounts, when audited, together with the Report of the Auditors, should be annually laid before the said Court of D'Oyer Hundred, and a general Abstract of such Accounts should be printed, and should also be published in some One or more newspaper or newspapers circulated in the said city; BE it therefore Enacted, That the Auditors to be appointed by virtue of this Act in the Borough of Cork shall have and exercise all such powers of examining and auditing the Accounts kept by the Commissioners and their successors appointed or acting under the said Act, as, if this Act had not been passed, might be exercised by Auditors chosen as directed by the said recited Act; and such Accounts, when audited, together with the Report of the Auditors, shall annually be laid before the Town Council of the said Borough; and a general Abstract of such Accounts shall be printed, and shall also be published in some One or more newspapers circulated in the said Borough.

141.
Remedy for
misappli-
cation of
Propert

AND whereas many of the said Municipal Corporations in Ireland have been and now are seised and possessed of or entitled to divers lands, tenements and hereditaments, and the same have been granted to them and ought to be vested in them for the public benefit of the said Boroughs respectively; and it is expedient to make further provision than now by law exists for preventing or remedying the waste and misapplication of such property, and of all other property which may hereafter be so granted to or acquired by Municipal Corporations or any Commissioners or Guardians of the Poor acting under the provisions of this Act for municipal purposes; BE it Enacted, That in case of waste or misapplication of any such property, or of any breach of trust in respect thereof, or wherever the direction, decree or order of a court of equity shall be deemed necessary for the due administration and application of any such property

property, it shall be lawful for Her Majesty's Attorney General for Ireland, or for any Two or more Burgesses of such Borough, or persons qualified to vote at any election of any Commissioners or Guardians acting under this Act in such Borough, to present a
 5 petition to the Court of Chancery, or to the Court of Exchequer in Ireland, stating such complaint, and praying such relief as the nature of the case may require; and it shall be lawful for the Lord Chancellor, or the Master of the Rolls, for the time being, and for the Court of Exchequer, and they are hereby required
 10 to hear such petition in a summary way, and to direct all such persons as they shall consider necessary to answer to same, and if necessary to issue a commission for the examination of witnesses, and on their depositions, or upon affidavits or such other evidence as shall be produced upon such hearing, to determine the same, and
 15 to give such relief and make such order therein, and with respect to the costs of such application, and to enforce the same by injunction or otherwise, as to him or them shall seem just; and such order shall be final and conclusive, unless the party or parties who shall think himself or themselves aggrieved thereby shall, within Two Years from
 20 the time when such order shall have been passed and entered by the proper officer, have preferred an appeal from such decision to the House of Lords, to whom it is hereby declared and enacted that an appeal shall lie from such order: Provided always, That neither the petitions, nor any proceedings upon the same or relative thereto,
 25 nor the copies of any such petitions or proceedings, shall be subject or liable to the payment of any stamp duty, charge for Chancery or other Court Fund, or other public charge whatever, save only the actual expense of making a copy when any copy shall be required from any of such courts.

Proceedings
not liable to
Stamp Duty.

30 And be it Enacted, That it shall not be lawful for any Body Corporate of any Borough named in the said Schedule (A.), or any Commissioners or Guardians of the Poor or body so incorporated in any Borough named in the said Schedule (B.), at any time after the passing of this Act, to sell, mortgage or alienate the
 35 lands, tenements and hereditaments of the said Body Corporate, or any part thereof, except in pursuance of some covenant or contract or agreement bonâ fide made or entered into on or before the Fifth day of June in the year One thousand eight hundred and Thirty-five, by or on behalf of the Body Corporate of any Borough,
 40 or of some Resolution duly entered in the Corporation Books of such Body Corporate on or before the said Fifth day of June, or to demise or lease, except in pursuance of some covenant, contract or agreement bonâ fide made or entered into on or before the said Fifth day of June by or on behalf of such Body Corporate, or in pursuance of some resolution duly entered in the Corporation Books of such

142.
Power of sale
and leasing
restrained.

Provision in
certain cases
of leasing.

Body Corporate on or before the said Fifth day of June, except in the cases hereinafter mentioned, any lands, tenements or hereditaments of such Body Corporate, or any part thereof, or to enter into any new contract or agreement, except in the cases hereinafter mentioned, for demising or leasing the said lands, 5
tenements and hereditaments, or any part thereof, for any term exceeding Thirty-one Years from the time when such lease shall be made, or if made in pursuance of a previous agreement, then from the time when such agreement shall have been entered into; and in every lease which the said Council, Commissioners or 10
Guardians are not hereby restrained from making there shall be reserved and made payable, except in the cases hereinafter mentioned, during the whole of the term thereby granted, such clear yearly rent as to the Council, Commissioners or Guardians shall appear reasonable, without taking any fine for the same: Provided 15
always, That in all cases in which any Body Corporate shall on the Fifth day of June in the year One thousand eight hundred and Thirty-five have been bound or engaged by any covenant or agreement, express or implied, or have been enjoined by any deed, will or other document, or have been sanctioned or warranted 20
by ancient usage, or by custom or practice, to make any renewal of any lease for years, or for life or lives, or for years determinable with any life or lives, at any fixed or determinate or known or accustomed period, or after the lapse of any number of years, or on the dropping of any life or lives, at a fine certain, or under 25
any special or specific terms or conditions, and also in all cases in which any Body Corporate shall theretofore have ordinarily made renewal of any lease for years or for life or lives, or for years determinable with any life or lives, at any fixed or determinate or known or accustomed period, or after the lapse of any number 30
of years, or upon the dropping of any life or lives, upon the payment of an arbitrary fine, it shall be lawful for the Council, Commissioners or Guardians of such Borough to renew such lease for such term or number of years, either absolutely or determinable with any life or lives, or for such life or lives, and at such rent, 35
and upon the payment of such fine or premium, either certain or arbitrary, and with or without any covenant for the future renewal thereof, as such Body Corporate could or might have done in case this Act had not been passed.

143.
Com-
mis-
sioners of
Treasury may
authorize
other disposi-
tions.

And be it Enacted, That in every case in which such Council, 40
Commissioners or Guardians shall deem it expedient to sell and alienate, or to demise and lease for a longer term than Thirty-one Years, or upon different terms and conditions than those hereinbefore mentioned, any of the said lands, tenements or hereditaments, it shall be lawful for such Council, Commissioners or Guardians to repre-
sent

sent the circumstances of the case to the Commissioners of Her Majesty's Treasury ; and it shall be lawful for such Council, Commissioners or Guardians, with the approbation of the said Commissioners or any Three of them, to sell, alienate and demise any of the lands, 5 tenements and hereditaments of the said Body Corporate in such manner and on such terms and conditions as shall have been approved by the said Commissioners : Provided always, That notice of the intention of the Council, Commissioners or Guardians to make such application as aforesaid shall be fixed on the outer door of the 10 Town Hall, or in some public or conspicuous place within the Borough, One calendar Month at least before such application ; and a copy of the Memorial intended to be sent to the said Commissioners shall be kept in the Town Clerk's office during such calendar Month, and shall be freely open to the inspection of every 15 Burgess, or person entitled to vote at the election of such Commissioners, or Rate-payer of the Borough, at all reasonable hours during the same.

Provided nevertheless, and be it Enacted, That in any of the instances hereinafter mentioned, it shall be lawful for the Council, 20 Commissioners or Guardians from time to time to demise and lease, or to enter into any contract or agreement for demising and leasing, either at a reserved rent or fine, or both, as the Council, Commissioners or Guardians shall think fit, any of the said lands, tenements or hereditaments to any person, body politic, corporate 25 or collegiate, for any term not exceeding Seventy-five Years from the time of making such lease or agreement ; (that is to say) of tenements or hereditaments the greater part of the yearly value of which shall at the time of making the lease or agreement consist of any building or buildings, or of land or ground proper for the 30 erection of any houses or other buildings thereupon, with or without gardens, yards, curtilages or other appurtenances to be used therewith ; and where the lessee or intended lessee shall covenant or agree to erect a building or buildings thereon of greater yearly value than such land or ground, or land or ground 35 proper for gardens, yards, curtilages or other appurtenances, to be used with any other house or other building erected or to be erected on any ground, belonging either to such Body Corporate or to any other proprietor, or proper for any other purpose calculated to afford convenience or accommodation to the occupiers 40 of any such house or building.

144.
Leases of certain Buildings, and of Ground for building on, or for making Gardens, &c. may be made for Seventy-five Years.

And be it Enacted, That it shall be lawful for the Council, or any Commissioners or Guardians of the Poor first to be elected or to act in any Borough under the provisions of this Act to call in question all purchases, sales, leases and demises not made in pur-

145.
Collusive Purchases, Sales and Demises of Corporate Property

since the
5th June 1835,
for undue
consideration,
may be set
aside.

suance of some such bonâ fide covenant, contract, agreement or resolution made and entered into as aforesaid before the said Fifth day of June, and all contracts for the purchase, sale, lease or demise of any lands, tenements and hereditaments, and all divisions and appropriations of the monies, goods and valuable securities, or any part of the real or personal estate, of which on or before the said Fifth day of June the Body Corporate of which they are the Council, Commissioners or Guardians, whether in their own right or as Trustees for charitable or other purposes, was seised or possessed, which shall have been made or contracted between the said Fifth day of June and the day of the declaration of their election ; and for that purpose, if it shall appear to the said Council, Commissioners or Guardians that there is ground for believing that any such purchase, sale, lease or demise, or such contract or such division or appropriation of the premises, was collusively made for no consideration, or for an inadequate consideration, it shall be lawful for the Council, Commissioners or Guardians of such Borough, at any time within Twelve calendar Months next after such first Election or acting under this Act in such Borough, upon notice of their intention being first given in the Dublin Gazette, and also affixed on the outer door of the Town-hall or in some public place within the Borough, to cause the value of the lands, tenements, hereditaments and premises in question to be inquired of and found by a Jury of Twelve indifferent men of the County in which or adjoining to which in the case of all Counties of Cities and Towns Corporate, such lands, tenements, hereditaments or premises do lie.

146.
Proceedings
before the
Jury.

And be it Enacted, That the Council, Commissioners or Guardians shall be empowered to summon and call before such Jury all persons having the custody and possession of any deed or agreement concerning the said lands, tenements, hereditaments and premises made or entered into since the said Fifth day of June, and to cause all such deeds and agreements to be produced before the said Jury, and examined by them, and to examine upon oath every person who shall be thought necessary to be examined (which oath the Mayor is hereby empowered to administer); and the Council, Commissioners or Guardians shall, by ordering a view or otherwise, use all lawful means for the information as well of themselves as of the said Jury in the premises ; and the Jury shall find the value of the said lands, tenements, hereditaments and premises, and the consideration which shall have been given, and also that which ought of right to have been given, for the purchase, sale, lease, demise or appropriation thereof, according to the terms of such purchase, sale, lease, demise, contract or appropriation, and taking into account all the circumstances under which the same shall have taken place ; and

and if the Jury by their oaths shall find that no consideration, or a consideration less than that which they shall have so found to be the value which ought therefor to have been given, shall have been collusively given or contracted to be given by the terms of any such purchase, sale, lease, demise, contract or appropriation, the party to such purchase, sale, lease, demise, contract or appropriation shall have his option either to re-convey and restore the lands, tenements, hereditaments and premises in question, and to abandon the contract to which he shall have been party, upon receipt in each case of the consideration, if any, which he shall have given for the same, or to give in each case such additional consideration, so that the whole consideration given shall be that which ought of right to have been given so found by the Jury as aforesaid; and in every such case as last aforesaid, the additional consideration given or to be given shall be indorsed on the original deed or conveyance, and unless he shall so do within One calendar Month next after the finding of the Jury, every such purchase, sale, lease, demise, contract and conveyance shall be absolutely void and of none effect as against the said body corporate, Commissioners or Guardians, and their successors; and in every case in which any such contract shall have been abandoned as aforesaid, or in which any such purchase, sale, lease, demise, contract or conveyance shall become void and of none effect, under the provisions of this Act, the party who would otherwise have had the benefit of the same shall be remitted to his former estate, title and interest (if any) in the premises as if no such contract, purchase, sale, lease or demise had been made or entered into; and for summoning and returning such Juries, and for imposing fines on the Sheriff, his deputy, bailiff or agent, and on the persons summoned and returned on the said Jury, and on any person required to give evidence, who shall in this behalf contravene the provisions of this Act, the Council, Commissioners or Guardians of every such Borough shall have all the powers which the Superior Courts of Record in Dublin have; and all the costs of the said Jury, and of all witnesses tendered by the said Council, Commissioners or Guardians to be examined before the said Jury, shall in every case be borne by the Council, Commissioners or Guardians, and paid out of the Borough Fund.

Provided nevertheless, and be it Enacted, That it shall be lawful for the Lord Lieutenant of Ireland for the time being, if he shall think fit, by the advice of the Privy Council, upon petition to him or them setting forth the special circumstances under which any purchase, sale, lease, demise, contract, or appropriation of any of the said lands, tenements, hereditaments, and premises shall have been made since the Fifth day of June, to order that the same shall not be called in question under the provisions of this Act; and in such case as last

147.
Lord Lieute-
nant may
direct special
cases not to be
questioned.

aforesaid the same shall not be called in question or set aside or affected under the provisions of this Act ; and in every case in which such petition shall have been presented it shall be lawful for the Lord Lieutenant for the time being, if he shall think fit, to enlarge the time within which (in case he shall not think fit to make such order as aforesaid) the Council, Commissioners or Guardians may have power as aforesaid to call in question any purchase, sale, lease, demise, contract, or appropriation referred to in such petition. 5

148.
This Act not
to give vali-
dity to any
disposition of
Lands.

And be it Enacted, That nothing herein contained shall be construed to give or shall give any effect or validity to any sale, demise or other disposition of or any agreement relating to any lands, tenements, hereditaments, or other property which at any time belonged to any Corporate Body, but that the validity of such agreement, sale, demise or other disposition shall be liable to be questioned in any Court of Law or Equity by the Council, Commissioners or Guardians of the Borough, or any Burgess, Voter, Rate-payer, or Freeman or other person, as fully as if this Act had not been passed. 10 15

149.
Sale of Advowsons, &c.

And be it Enacted, That in every case in which a Body Corporate, or any particular class, number or description of members, or the governing Body of any Body Corporate, now is or are in their corporate capacity, and not as charitable trustees, according to the meaning and provisions of this Act, seised or possessed of any manors, lands, tenements or hereditaments whereunto any Advowson or right of nomination or presentation to any Benefice or Ecclesiastical Preferment is appendant or appurtenant, or of any Advowson in gross, or hath or have any right or title to nominate or present to any Benefice or Ecclesiastical Preferment, every such Advowson, and every such right of nomination and presentation shall be sold at such time and in such manner as the Ecclesiastical Commissioners for Ireland may direct, so that the best price may be obtained for the same; and it shall be lawful for the Council, Commissioners or Guardians of such Body Corporate, and they are hereby authorized and required, with the consent of the said Commissioners, or any Three or more of them, in writing under their hands, to convey and assure, under the Common Seal of such Body Corporate, Commissioners or Guardians, such Advowson or such right of nomination or presentation as aforesaid, to the purchaser or purchasers thereof respectively, his or their heirs, executors, administrators and assigns, or to such uses as he or they shall direct; and the proceeds of every such sale shall be paid to the Treasurer of the Borough, whose receipt shall be a sufficient and effectual discharge to the purchaser or purchasers to whom the same shall be given for the amount of his or their purchase money; and it shall be lawful for the Council, Commissioners or Guardians of such Borough to direct that 20 25 30 35 40

that such purchase money, or any part thereof, shall be applied towards the liquidation of any debt contracted before the passing of this Act by the Body Corporate now seised of or entitled to the property so sold, and if it shall not be so applied it shall be invested
 5 in Government securities for the use of the Body Corporate, Commissioners or Guardians, as in case of other property under this Act, and the annual interest payable thereon shall be carried to the account of the Borough Fund: Provided always, That in case of
 10 any vacancy arising before any such sale shall have taken place and been completed, such vacancy shall be supplied by the presentation or nomination of the Bishop or Ordinary of the diocese in which such Benefice or Ecclesiastical Preferment is situated: Provided always, That nothing in this Act shall extend to any Advowson or right of nomination or presentation to any Benefice
 15 or Ecclesiastical Preferment, or to any Advowson in gross belonging to the Society of the Governor and Assistants of London of the new Plantation in Ulster, within the realm of Ireland.

And be it Enacted, That the several provisions contained in an Act passed in the last Session of Parliament, intituled, "An
 20 Act for facilitating the Sale of Church Patronage belonging to Municipal Corporations in certain cases," shall, so far as the same are applicable, be extended to every right of nomination similarly circumstanced which shall at the time of passing this Act be vested in any Municipal Corporation in Ireland, or in any member of such
 25 Corporation in virtue of his office as such, and every such right of nomination shall become a Benefice Presentative, and the Curate or Minister presented thereto shall be a Body Politic and Corporate.

150.
 Certain Provisions of 1 & 2 Vict. c. 32, extended to Ireland.

Provided always, and be it Enacted, That the Body Corporate called "The Warden and Vicars Choral of the Royal College or
 30 Collegiate Church of Galway" shall continue in force unless and until the same shall be dissolved by the said Ecclesiastical Commissioners in manner hereinafter mentioned; and the Vicars Choral of the said College or Collegiate Church shall respectively continue to be such Vicars Choral during their respective lives, or until they
 35 respectively shall resign or be removed from such Benefices respectively, or the said College shall be dissolved in manner hereinafter mentioned; and that any resignation made by the said present Warden and Vicars Choral, or any of them, of their respective Benefices, to the Bishop of Tuam for the time being, shall be
 40 valid and effectual; and the said Ecclesiastical Commissioners shall and they are hereby authorized and empowered, if they shall think proper, by any instrument in writing under their Corporate Seal, with the consent of the Lord Lieutenant and of Her Majesty's Privy Council in Ireland in Council assembled (Six at least consenting),

151.
 Provision respecting the Warden and Vicars Choral of Galway.

and with the consent of the Bishop of Tuam, to declare that the said College and Collegiate Church of Galway shall be dissolved upon the death, resignation or removal of the said present Warden; and that the Rectories and Vicarages which now belong to the said College or Collegiate Church of Galway, shall thereupon be divided into such separate and distinct benefices or parishes as they shall think proper; and that all Rent-charges in lieu of Tithes, or portions or parcels of such Rent-charges, churches, churchyards and burial places, and other the revenues, profits and emoluments now belonging to the said College or Collegiate Church of Galway, shall be divided among and united to the said distinct parishes or benefices respectively as they shall direct; and that such persons as shall be Vicars Choral of the said College or Collegiate Church at the time of such dissolution shall become the Incumbents of such of the said distinct parishes and benefices respectively as the said Ecclesiastical Commissioners shall thereby direct; and if such dissolution shall be made as aforesaid, the said College or Collegiate Church shall be dissolved upon the death, resignation or removal of the said present Warden; and the said Vicarages and Rectories shall thereupon become distinct benefices and parishes accordingly; and each of the persons who at the time of such dissolution shall be a Vicar Choral of the said College or Collegiate Church shall thereupon by virtue of this Act, and without any presentation, induction, institution or other ceremony, become Rector or Vicar of the distinct benefice or parish of which such Vicar Choral shall be directed as aforesaid to become the Rector or Vicar; and the advowson, right of presentation and nomination to the said offices of Warden and Vicars Choral of the said College or Collegiate Church of Galway, or in case the same shall be dissolved as aforesaid, the advowson or right of nomination or presentation to each of the distinct benefices or parishes into which the Rectories and Vicarages aforesaid shall be divided, shall be sold by the Council of Galway, with the consent of the said Ecclesiastical Commissioners, and the purchase-money shall be applied in like manner as in the case of any other advowson is hereby directed to be sold, and they are hereby empowered to make a valid grant and conveyance thereof to any purchaser or purchasers accordingly; and in case of the dissolution of the said College or Collegiate Church, all the Ecclesiastical Jurisdiction and powers belonging thereto, or to the Warden thereof, shall be and are hereby vested in the Bishop of Tuam for the time being.

152.

In Cities and Towns which are Counties, Sheriffs to be appointed.

And be it Enacted, That in each of the Counties of the Cities of Cork, Dublin, Kilkenny, Limerick and Waterford, and in the Counties of the Towns of Carrickfergus, Drogheda and Galway, the Council shall name Three fit persons to the Lord Lieutenant, before the Twenty-ninth day of September in the year following the year in which

which this Act shall come into operation in each of the said Cities and Towns respectively, and in every succeeding year, and the Lord Lieutenant, if he think fit, may appoint One of the Three persons so named to execute the office of Sheriff, or, instead of appointing
5 any One of the Three persons so first-named, the Lord Lieutenant, if he think fit, may require the Council to name to him Three other persons, and may, if he think proper, appoint One of the Three persons so last named to him to execute the office of Sheriff, or in case the Council shall neglect or refuse to make either nomination as aforesaid,
10 or in case the Lord Lieutenant shall disapprove of all the Six persons so named to him, it shall be lawful for the Lord Lieutenant to appoint a fit person to execute the office of Sheriff; and every person so appointed shall have the like duties and powers, and shall continue in his office for the like time, as if such person had been duly ap-
15 proved of by the Lord Lieutenant and Privy Council by order under their hands, pursuant to the rules, orders and directions made and established by the Lord Lieutenant and Council in the Twenty-fifth year of the reign of his late Majesty King CHARLES the Second, for such Cities, Towns and Counties respectively, and as any Sheriff or
20 person filling the office of Sheriff in such City, Town and County respectively would have had and held if this Act had not been passed, and shall continue in his office for One whole year, from the Twenty-ninth day of September, unless removed by the Lord Lieutenant; and in case a vacancy shall be occasioned in the office of Sheriff of
25 such Borough during such period, by the death of the person who shall have been appointed to such office, or his removal, another fit person shall be appointed in like manner to be the Sheriff, instead of the person so dying or removed, who shall hold such office for the period during which the person so dying, or removed as aforesaid,
30 would have held it, and so from time to time as occasion may require.

And be it Enacted, That every person who at the time when this Act shall come into operation in any of the said Cities or Towns shall hold the office or execute the duties of Sheriff in the said Counties of Cities and Towns respectively, shall hold and execute
35 the same until the first appointment of a Sheriff therein under the provisions of this Act, and no longer: Provided always, That if when this Act shall come into operation in any of the said Counties of Cities or Towns there shall be a Sheriff or Sheriffs elect, he or they shall come into office at the same period as if this Act had not
40 been passed, and shall hold his or their office until the appointment of a Sheriff in that City or Town under this Act: Provided also, That if this Act shall come into operation in any such City or Town at any time after the Twenty-eighth day of August, and before the Twenty-ninth day of September in any year, the Sheriff of the County of that City or Town shall be before the Twenty-ninth day of September in

153.

Provision for the continuance in office of existing Sheriffs.

the same year appointed by the Lord Lieutenant of Ireland, without any nomination by the Council being requisite ; and in the town of Carrickfergus, until the nomination and appointment of a Sheriff for that town pursuant to the provisions hereinbefore contained, the Sheriff of that town shall be, before the Twenty-ninth day of September in every year, appointed by the Lord Lieutenant of Ireland, without any nomination being requisite. 5

154.
City and
County of
Londonderry
to be a
County, the
Sheriff of
which to be
nominated by
the Crown.

And be it Enacted, That after the passing of this Act a Sheriff of the County named the City and County of Londonderry, shall be nominated and appointed by the Lord Lieutenant of Ireland, in the same manner to all intents and purposes as the Sheriff of any other County at large in Ireland is now nominated and appointed ; and until the Sheriff first to be nominated and appointed for the said City and County of Londonderry, under the provisions of this Act, shall enter upon his office, the persons who at present fill the office of Sheriffs of the said City and County of Londonderry, or the survivor of them, shall be and remain the Sheriffs or Sheriff of the City and County of Londonderry, and shall fulfil and execute the duties of the said office. 10 15

155.
In certain
Boroughs
Council to
appoint a
Coroner.

And be it Enacted, That the Council of every Borough in which a separate Court of Quarter Sessions of the Peace shall be holden, as is hereinafter provided, shall, within Ten Days next after the grant of the said Court shall have been signified to the Council of such Borough, appoint a fit person, not being an Alderman or Councillor, to be Coroner of such Borough so long as he shall well behave himself in his office of Coroner, and shall fill up every vacancy in the office of Coroner of the Borough occurring by death, resignation or removal, within Ten Days next after such vacancy, and none thereafter shall take any inquisition which belongs to the office of Coroner within such Borough, save only the Coroner so from time to time to be appointed ; and in such of the said Boroughs as are not Counties of Cities or Counties of Towns, every such Coroner, for every inquisition which he shall duly take within such Borough, shall be entitled to have the sum of Twenty Shillings, and also the sum of Nine-pence for every mile exceeding Two Miles which he shall be compelled to travel from his usual place of abode to take such Inquisition, to be paid by the Treasurer out of the Borough Fund of such Borough, by order of the Court of Quarter Sessions for such Borough: Provided always, That no person shall be elected as Coroner as aforesaid who shall not be seised or possessed of such an estate in some part of Ireland as would qualify him to serve as a Coroner for a County according to the Acts now in force in Ireland in relation to the office of Coroner ; and every such person shall, before he acts as such Coroner, take and subscribe all oaths now required to be taken by 20 25 30 35 40

by a Coroner in Ireland, and shall be liable to be removed by the Court of Chancery in Ireland in the same manner as any Coroner in Ireland may now be removed by that Court.

5 And be it Enacted, That on or before the Tenth day of January in every year after the passing of this Act, every Coroner appointed in any Borough shall make and transmit to the Lord Lieutenant of Ireland a return in writing, according to such form as the said Lord Lieutenant from time to time shall direct, of all the cases in which he may have been called upon to hold an Inquest touching the cause of
10 death of any person during the year ending on the Thirty-first day of December immediately preceding, and a copy of the finding of the Jury on every such Inquest.

156.
Coroners to
make Returns
to Lord
Lieutenant.

15 And be it Enacted, That in every Borough in and for which no separate Court of Sessions of the Peace shall be holden, no person, after the First day of December next after the first election of Councillors under this Act in that Borough, shall take any Inquisition which belongs to the office of Coroner within such Borough, save only the Coroner for the County at large in which such Borough is situated; and in every Borough in which a Coroner shall not be
20 elected and acting under this Act the Coroner for the County in which such Borough is situated, and in case of a County of a City or Town the Coroner of the adjoining County, or any of them, shall take any Inquisition which could be taken by a Coroner elected under this Act, and have all the powers and authorities of such Coroner;
25 and such Coroners of Counties at large, and the Coroners of each County of a City and County of a Town, shall be entitled to be paid for the Inquisitions which they shall duly take as aforesaid in manner now provided for by law, and not otherwise.

157.
County
Coroners to
act in other
Boroughs.

30 And be it Enacted, That in case of illness or unavoidable absence, the Coroner for the time being of any Borough, Town or City in Ireland shall be empowered and he is hereby required, by writing under his hand and seal, to appoint a fit person, being an Attorney of One of Her Majesty's Courts in Dublin, and not being an Alderman or Councillor of such Borough, Town or City, to act for
35 him as Deputy Coroner during the illness or unavoidable absence of such Coroner, but no longer or otherwise: Provided always, That the Mayor or Two Justices of such Borough, Town or City shall on each occasion certify under their hands and seals the necessity for the appointment of such Deputy Coroner, and such
40 certificate shall state the cause of absence of the Coroner, and shall be openly read to every Inquest Jury summoned by such Deputy Coroner, and the particulars of every Inquest holden before any Deputy Coroner shall be included in the return to be made by the Coroner to the Lord Lieutenant as herein provided.

158.
Coroners of
Boroughs, in
certain cases,
may appoint
Deputies.

159.
For the
uniting of
Gaols.

And be it Enacted, That it shall be lawful for the Lord Lieutenant upon application from the Town Council of any Borough, which for any purposes mentioned in this Act shall be a County of a City or County of a Town, and from the Grand Jury of the County with which such Borough shall have the longest common Boundary, to 5 order and direct that such Borough and County may unite in the building or providing, either in such Borough or in such County, of one common gaol, bridewell, house of correction, or other prison for such Borough and County, and in any such case the gaols, bridewells, houses of correction, or other prisons of such Borough 10 and County shall be deemed to be united and joined; and that when the gaols, bridewells, houses of correction, or other prisons of such Borough and County shall have been united and joined, it shall be lawful to and for such Town Council to raise and apply, and for such Grand Jury to present such sums as they shall 15 think fit for the building a new gaol or gaols, bridewells, houses of correction, or other prisons for the said Borough and County respectively, or for either of them, either together or separate, as the said Town Council and Grand Juries respectively shall think proper, in the same manner in all respects, and the respective parts 20 thereof shall be subject to all the same rules, conditions and consequences, as if the same were separate.

160.
For au-
thorizing
Contracts
for the
Maintenance
of Prisoners.

And be it Enacted, That it shall be lawful for the Town Council of any Borough to contract with the Grand Jury of the County adjoining such Borough, or with which it shall have the longest 25 common boundary, or other persons having authority or jurisdiction in and over any gaol or house of correction of such County, for the support and maintenance in such last-mentioned gaol or house of correction, of any prisoners committed thereto from such Borough; provided that no such contract be entered into by any such Town 30 Council without an order for that purpose being made at some quarterly or stated meeting of such Borough at which Two-thirds of such Town Council shall attend; nor by the Grand Jury of such County, or other persons having such authority or jurisdiction, without an order for that purpose being made by such Grand Jury or persons 35 in their County-book, or other book in which their proceedings are entered; and every such contract may either be perpetual or limited to a certain term of years, as the parties shall mutually agree; and during the existence of such contract every prisoner who would otherwise be confined in the gaol or house of correction of such 40 Borough, of which the Town Council shall so contract, may be lawfully committed or removed to and confined in the gaol or house of correction so receiving him or her under such contract; and all prisoners so confined by contract, whether before or after trial, shall be subject in all matters and things to the same rules and regula-
tions

tions as if they were committed thereto by any of the Justices of such County, and if committed before trial shall be triable and tried in the same manner as if their offences had been committed in a part of such County not within such Borough from whence such persons
 5 shall come; save only that if the gaol or house of correction so receiving under contract a prisoner committed for trial shall be situate within Two Miles of the usual place of trial of such Borough wherein the offence charged against such prisoner shall be alleged to have been committed, it shall be lawful to try such prisoner in the
 10 manner heretofore accustomed, or in the place in which he would or might have been tried if this Act had not been passed, and for any magistrates or other proper officers of such Borough to direct the removal of such prisoner for trial, and to do all other acts necessary for such trial, or consequent thereon.

15 And be it Enacted, That it shall be lawful for Her Majesty from time to time to assign to so many persons as She shall think proper Her Majesty's commission to act as Justices of the Peace in and for each Borough named in the said Schedule (A.), to which Her Majesty may be pleased to grant a commission of
 20 the peace, and also in and for the Town of Carrickfergus: Provided nevertheless, That every person so to be assigned shall reside within the Borough for which he shall be so assigned, or within Seven Miles of such Borough, or of some part thereof, during such time as he shall act as a Justice of the Peace in and for
 25 such Borough.

161.
 Commission
 of Justices of
 Peace to be
 issued for cer-
 tain Borough

And be it Enacted, That if the Council of any Borough named in the said Schedule (A.) shall think it requisite that a salaried Police Magistrate or Magistrates be appointed within such Borough, such Council is hereby empowered to make a Bye Law, fixing the
 30 amount of the salary which he or they are to receive in that behalf; and such Bye Law so made by any Council as aforesaid shall be transmitted to the Lord Lieutenant of Ireland, and the Lord Lieutenant thereupon shall be authorized to appoint so many fit persons as are specified in the said Bye Law (being Barristers-at-Law of not less
 35 than Six Years' standing) to be during Her Majesty's pleasure Police Magistrate or Magistrates and a Justice or Justices of the Peace for such Borough, and to direct that such sum shall be paid quarterly out of the Borough Fund of such Borough as will be sufficient to pay such yearly salary to each of the Justices so assigned as
 40 last aforesaid, not exceeding in the whole the salary mentioned in the prayer of such petition, clear of all fees or deductions, as to the Lord Lieutenant shall seem fit; and the Treasurer of such Borough shall thereupon pay to each Justice so assigned as last aforesaid, out of the Borough Fund of such Borough, the salary so directed to be

162.
 Council may
 make Bye-
 laws on which
 the Crown
 may appoint
 salaried
 Justices.

paid, by Four equal quarterly payments, and in the same proportion up to the time of the death of such Justice, or his ceasing to act under such assignment as aforesaid: Provided, That in every case of vacancy of the office of Police Magistrate in any Borough aforesaid, no new appointment of Police Magistrate in such Borough shall be made until the Council shall again make application to the Lord Lieutenant in that behalf, as in the case of the first appointment of a Police Magistrate in such Borough. 5

163.
Council to
provide a
Police Office.

And be it Enacted, That the Council of every Borough to which a separate Commission of the Peace shall be granted under the provisions of this Act shall be authorized and required to provide and furnish One or more fit and suitable Office or Offices, to be called "The Police Office" or Offices of the Borough, for the purpose of transacting the business of the Justices of the Borough, and to pay from time to time, out of the Borough Fund, such sums as may be necessary for providing, upholding and furnishing, and for the necessary expenses of such Police Office or Offices; and the Council of every such Borough shall, in case the Borough Fund shall not be sufficient, or in case there shall be no Borough Fund, have the power of including in and paying out of the Borough Rate of such Borough such sum as shall be required for providing, upholding and furnishing and for the necessary expenses of such Police Office or Offices; and no room in any house licensed as a victualling-house or alehouse shall be used for the purpose of any such Police Office. 10 15 20

164.
Justices need
not be qua-
lified by
Estate.

And be it Enacted, That every person assigned to keep the peace within any Borough under the provisions of this Act, or any of them, shall, during the continuance of such assignment, execute the duties of a Justice of the Peace in and for the Borough for which he shall have been so assigned, although such person may not be a Burgess of the Borough in and for which he shall have been assigned, to act as a Justice of the Peace, and although he may not have such qualification by estate as is required by law in the case of other persons being Justices of the Peace for a County, so nevertheless that such person be not disqualified by law to act as a Justice of the Peace for any other cause or upon any other account than in respect of estate. 25 30 35

165.
How far
Summonses
and Warrants
may be en-
forced.

And be it Enacted, That every Summons for the appearance of any person, or Warrant to compel such appearance, or Warrant for the apprehension of any person charged with any offence, or Search Warrant issued by any Justice of the Peace acting in and for any Borough in any matter within his Jurisdiction, may be respectively served and executed within any County in which the said Borough shall be situated, or within any distance not exceeding Seven Miles from 40

from such Borough, and within such limits as aforesaid, shall have the same force and effect as if the same had been originally issued or subsequently indorsed by a Justice of the Peace having jurisdiction in the place where the same shall be served or executed, any
 5 law, statute, charter or usage to the contrary notwithstanding ; and every such Summons and Warrant shall and may be lawfully served or executed within such limits as aforesaid by the Constable to whom the same shall be directed, or by any Constable or other Peace Officer of the County, Borough, Parish or Place in which the person
 10 named in such Summons or Warrant may be.

And be it Enacted, That it shall be lawful for the Justices of every Borough in which a separate Commission of the Peace is continued or shall be granted under this Act, at their first or any other meeting, and they are hereby respectively required, to appoint a fit person to
 15 be the Clerk to the Justices of such Borough, to be removable at their pleasure, and so as often as there shall be a vacancy in the said office of Clerk to the Justices by death, resignation, removal or otherwise : Provided, That it shall not be lawful for the said Justices to appoint or continue as such Clerk to the Justices any Alderman
 20 or Councillor of such Borough, or Clerk of the Peace of such Borough, or the partner of such Clerk of the Peace, or any clerk or person in the employ of such Clerk of the Peace : Provided also, That it shall not be lawful for the said Clerk to the Justices, by himself or his partner, to be directly or indirectly interested or
 25 employed in the prosecution of any offender committed for trial by the Justices of whom he shall be such Clerk as aforesaid, or any of them, at any Court of Gaol Delivery or General or Quarter Sessions ; and any person being an Alderman or Councillor, or Clerk of the Peace of any Borough, or the partner or clerk or in the employ of
 30 such Clerk of the Peace, who shall act as Clerk to the Justices of such Borough, or shall otherwise offend in the premises, shall for every such offence forfeit and pay the sum of One hundred Pounds, one moiety thereof to the Treasurer of such Borough, to be paid over to the credit and account of the Borough Fund of such Borough, and the other moiety thereof, with full costs of suit, to any person
 35 who will sue for the same in any of Her Majesty's Courts of Record in Dublin.

166.
 Justices to appoint a Clerk, who shall not be the Town Clerk or of the Council, nor be concerned in the prosecution of Offenders committed by the Borough Justices.

And be it Enacted, That the Council of every Borough, except the City of Dublin, which shall be desirous that a separate Court of
 40 Quarter Sessions of the Peace, or a Court of Record for the trial of Civil Actions, shall be or continue to be holden in and for such Borough, shall signify the same by petition to the Lord Lieutenant and Privy Council in Ireland, setting forth the grounds of the application, and the salary which they are willing to pay to the

167.
 Recorder to be appointed by Her Majesty in certain Boroughs.

Recorder in that behalf ; and it shall be lawful for Her Majesty, if She shall be pleased, thereupon to grant that a separate Court of Quarter Sessions of the Peace, or a Court of Record for the trial of Civil Actions, shall thenceforward be holden in and for such Borough, and the Lord Lieutenant may appoint for such Borough, or for any Two 5 or more of such Boroughs conjointly, a fit person, being a practising Barrister-at-Law of not less than Six Years' standing, who shall be and be called the Recorder of such Borough or Boroughs, and shall hold such office during his good behaviour ; and the Lord Lieutenant upon any vacancy in any such office, may appoint another fit person, being 10 a practising Barrister-at-Law of not less than Six Years' standing, to be the Recorder in the place of the person so making such vacancy ; and it shall be lawful for the said Lord Lieutenant to direct that an annual salary, not exceeding the sum stated in the petition of the Council, shall be paid to such Recorder by the Treasurer of such 15 Borough out of the Borough Fund, except that no salary or emolument (other than fees) shall be paid to the Recorder of the said town of Carrickfergus, and that Her Majesty may grant that a Court of Quarter Sessions of the Peace and a Court of Record for the Trial of Civil Actions, or either of them, shall be or continue 20 to be holden in and for that town without any petition for that purpose having been made to the Lord Lieutenant and Privy Council in Ireland : Provided always, That in every such Borough in and for which a separate Court of Sessions of the Peace, or a Court of Record for the Trial of Civil Actions, is now holden, and 25 of which the present Recorder or Deputy Recorder is a Barrister of Six Years' standing, such Recorder or Deputy Recorder being qualified as aforesaid, shall be continued or appointed a Recorder under the provisions of this Act, and shall be paid out of the Borough Fund, the salary now payable to the Recorder by the Corporate 30 Body, or such increased salary as shall have been signified and directed as aforesaid.

168.
Recorder of
the City of
Dublin.

And be it Enacted, That the Recorder of the City of Dublin and his successors in that office shall have all such powers and authority as are now vested in the Sessions Court of the City of Dublin, or in 35 the Recorder or Lord Mayor of the said City, either solely or jointly with any other member or members of the Corporation of the Lord Mayor, Sheriffs, Commons and Citizens of the City of Dublin ; and if the Recorder of Dublin for the time being shall vacate his said office, the Lord Lieutenant shall appoint a fit person, being a 40 practising Barrister-at-Law of not less than Six Years' standing, to be Recorder in lieu of the Recorder so vacating the said office ; and the Recorder so from time to time appointed shall have the like powers and authorities as are hereby given or continued to the said Recorder of Dublin ; and the Recorder of Dublin for the time being shall

shall be entitled to such salary as any Recorder of Dublin would be entitled to if this Act had not been passed, and out of the same funds, subject, however, to the powers and provisions of any Act or Acts now in force in relation to the salary or emoluments of such Recorder, and shall hold office during good behaviour, and every
 5 such Recorder shall hold a Court of Sessions of the Peace in and for the City of Dublin as hereinbefore and in Schedule (C.) to this Act annexed defined, at such times and within such intervals as the Court of Sessions of the Peace is or ought to be holden in the said
 10 City, or at such other and more frequent times as the said Recorder in his discretion may think fit, or as the Lieutenant shall from time to time think fit to direct, and shall sit as sole Judge in such Court.

AND whereas in several of the Boroughs named in the said
 15 Schedule (B.) there are Courts of Record for the Trial of Civil Actions, and such Courts, when well regulated, have been found useful to the inhabitants of the said towns; BE it Enacted, That from and after the passing of this Act all the powers, authorities, usages and jurisdiction of any existing Court of Record in every
 20 town named in the said Schedule (B.) to this Act annexed, in which the Body Corporate named in conjunction with the said Borough in the said Schedule shall be dissolved by virtue of this Act, whether the same shall have been established by usage, statute or otherwise, shall continue in the same manner as if this Act had not been
 25 passed, until the Lord Lieutenant shall think proper to determine the same; and at any time it shall be lawful for the Lord Lieutenant, by an order under his hand, to declare that any such Court shall be discontinued at a time to be mentioned in such order, and to be not less than Two calendar Months after the date of such order;
 30 and every such order shall be advertised in the Dublin Gazette; and at the time appointed for that purpose in such order, such Court of Record, and all powers, authorities and jurisdictions thereof, shall wholly cease and determine, save only as to the execution of any decrees or orders of the said Court theretofore
 35 lawfully made; and the present Judge and other Officers of the said Court shall, during the continuance thereof, remain in their respective offices, notwithstanding he, they or any of them may have ceased to hold any office by virtue of which he or they shall be such Judge or Officer or Officers; and upon any future vacancy in the office of Judge of any such Court, the Lord Lieutenant shall
 40 appoint a fit person, being a Barrister of not less than Six Years' standing, to be Judge of such Court during the continuance thereof and his good behaviour, and upon any vacancy in any other office belonging to such Court the Judge of the Court shall appoint a fit person to supply such vacancy.

169.
 Existing
 Courts of
 Record in
 Boroughs in
 Schedule (B.)
 to be con-
 tinued until
 determined
 by the Lord
 Lieutenant.

170.
Recorder to
be a Justice of
the Peace for
the Borough.

And be it Enacted, That the Recorder for the time being of any Borough, as well of Dublin as of any other Borough, shall be a Justice of the Peace of and for such Borough, although he may not have such qualification by estate as is required by law in the case of any other person being a Justice of the Peace for a county; and such Recorder shall have precedence in all places within the Borough of which he may be the Recorder next after the Mayor thereof: Provided always, That no person being such Recorder as aforesaid shall be eligible to serve in Parliament for such Borough, nor shall he be an Alderman, Councillor or Police Magistrate of such Borough; but nothing in this Act contained shall be construed to disqualify any such Recorder from being eligible to sit in Parliament otherwise than is herein provided: Provided also, That in case of sickness or unavoidable absence, the Recorder of any Borough shall be empowered under his hand and seal, with the consent of the Lord Chancellor, Keeper or Commissioners of the Great Seal in Ireland for the time being, to appoint a Deputy Recorder, being a practising Barrister of Six Years' standing, to act for him at the Sessions of the Peace then next ensuing, and in such Court of Record, for any time not exceeding Three calendar Months, and no longer or otherwise.

171.
Justices to
make Decla-
ration before
acting.

Provided nevertheless, and be it Enacted, That no Recorder or person assigned as aforesaid to keep the peace within any such Borough, shall be capable of acting as Recorder or Justice of the Peace within such Borough until he shall have taken the oaths provided to be taken by Justices of the Peace, except any oath as to qualification by estate, and until he shall have made before the Mayor, or before any Two or more of the Aldermen or Councillors of such Borough, or if there shall not be any Mayor, Alderman or Councillor, before any Justice of the Peace for the County in which such Borough shall be situate, or any adjoining County, (who is and are hereby authorized and required to administer the same), a Declaration in the following form; (that is to say)

“ I, A. B., do hereby declare, That I will faithfully and impartially execute the Office of Recorder [or, Justice of the Peace for the Borough of], according to the best of my judgment and ability.”

172.
Sessions of
the Peace to
be held for
the Borough,
of which the
Recorder is
to be the
sole Judge.

And be it Enacted, That the Recorder of every Borough continued or appointed under this Act shall hold once in every quarter of a year, or by adjournment or otherwise, at such other and more frequent times as the said Recorder in his discretion may think fit, or as the Lord Lieutenant shall from time to time think fit to direct, a Court of Quarter Sessions of the Peace in and for such Borough, of which

which Court the Recorder of such Borough shall sit as the sole Judge; and such Court of Quarter Sessions of the Peace shall be a Court of Record, and shall have cognizance of all crimes, offences and matters whatsoever cognizable by any Court of Quarter Sessions of the Peace for Counties in Ireland; and the said Recorder shall have power to do all things necessary for exercising such jurisdiction, notwithstanding his being such sole Judge, as fully as any such last-mentioned Court: Provided nevertheless, That no Recorder by virtue of his office shall have power to grant any license for the sale of Beer, Cider or Spirits, or exercise any of the powers herein specially vested in the Council of such Borough: Provided also, That all powers and authorities which may now by law be exercised by Justices at Quarter Sessions with reference to the granting or obtaining of Licenses for the sale of Beer, Cider or Spirits, shall be exercised by the Justices of the Peace having jurisdiction as such within such Borough, not being engaged in any such trade, and shall be exercised by them at such time and place as shall be appointed by such Justices or the major part of them by public notice, such notice to be posted on or near the Town Hall, and near every place of religious worship within such Borough, Ten clear Days before such Justices shall meet as heretofore, and such expenses shall not be defrayed out of the Borough Fund.

Justices to exercise Jurisdiction as to Licenses.

And be it Enacted, That in the absence of the Recorder and Deputy Recorder the Mayor shall be authorized and required, at the proper times appointed for the holding of such Court of Sessions of the Peace in and for such Borough, to open the said Court, and to adjourn over the holding of the same, and to respite all recognizances conditioned for appearing at the same until such further day as such Mayor then and there and so from time to time shall cause to be proclaimed: Provided nevertheless, That nothing in this Act contained shall authorize or require any such Mayor to sit as a Judge of the said Court for the trial of offenders, or to do any other act in the character of a Judge of such Court, save only in opening and adjourning the said Court, and respiting the said recognizances in manner aforesaid: Provided also, That in the town of Carrickfergus, until the grant of a Charter of Incorporation, and the election of a Council under the provisions of this Act, and that in the absence of the Recorder and Deputy Recorder the Clerk of the Peace or other person discharging the duties of that office, and the Registrar of the Court of Record, instead of the Mayor, shall and they are hereby respectively authorized to open and adjourn over the said respective Courts, and to respite recognizances conditioned for appearing at the same.

173.
Mayor, in the absence of the Recorder, may open and adjourn the Court.

174.
Capital Juris-
dictions, and
all other
Criminal
Jurisdictions
in Boroughs,
other than
are specified
in this Act,
abolished.

And be it Enacted, That after the First day of January in the year following that in which this Act shall come into operation in any Borough, all powers and jurisdictions to try treasons, capital felonies, and all other criminal jurisdictions whatsoever, granted or confirmed by any law, statute, letters patent, grant or charter whatsoever to any Mayor, Bailiff, Alderman, Recorder or other Corporate or Chartered Officer or Corporate or Chartered Justice of the Peace whomsoever in that Borough, except the Recorder of Dublin, and all right of any Body Corporate in that Borough, or any of the members thereof, by virtue of any law, statute, letters patent, grant or charter whatsoever, to elect or nominate any Justices to keep the peace in or for any Borough, or by any members of any such Corporate Body, to act as such Justices of the Peace in or for any Borough other than is herein declared, shall cease: Provided nevertheless, That nothing in this Act contained shall be construed to restrain or prevent the holding of any Court of Gaol Delivery or General or Quarter Sessions of the Peace in and for any Borough for which such Court may now be holden, until the said First day of January, but every such Court may be holden in like manner and with the same powers until the said First day of January, as if this Act had not been passed.

175.
Offenders
committed to
Borough
Sessions
whose juris-
diction is
taken away,
to be tried in
the adjoining
County.

And be it Enacted, That after the last-named First day of January every person who shall then stand committed to take his trial at any Court of Gaol Delivery, General or Quarter Sessions of the Peace for any Borough, charged with any offence which the Recorder of such Borough, after the said First day of January, will not have the jurisdiction to try, may be lawfully removed and committed to the Gaol or House of Correction of the County in which or adjoining to which such Borough is situated, there to remain and take his trial at the next Court of Quarter Sessions for such County, if the offence is cognizable by a Court of Quarter Sessions, and if not, then before the Judges of Oyer and Terminer and Gaol Delivery at their next circuit; and all persons bound by recognizance to prosecute and give evidence against such offenders shall be bound to appear to prosecute and give their evidence at the Court at which such offenders shall be tried as aforesaid; and all such recognizances, and all depositions relating to such charges, shall be transmitted to the proper officer of the Court where such offenders shall be tried; and the Sheriff, Under Sheriff, Gaolers and other Officers of the County in which such offenders shall be so tried are hereby authorized and required in every such case to receive every prisoner so committed to their custody, and him safely to keep until delivered by due course of law; and the Judges of Assize and others named in Her Majesty's Commissions of Oyer and Terminer and Gaol Delivery, or the Justices for the County, as the case may be, in which such offenders

offenders shall be tried, are hereby authorized and required to hear and determine all such cases, and to order the payment of the usual and fit expenses of the prosecutors and witnesses, and all other costs and expenses which in like case may be directed to be paid by order of the Court.

And be it Enacted, That after the last-named First day of January the Justices assigned or hereafter to be assigned to keep the peace in and for the county in which any Borough is situated, to which Her Majesty shall not have granted that a separate Court of Sessions of the Peace shall be holden in and for the same, shall exercise the jurisdiction of Justices of the Peace in and for such Borough as fully as by law they and each of them can or ought to do in and for the said County ; and no part of any Borough in and for which a separate Court of Quarter Sessions of the Peace shall be holden shall be within the jurisdiction of the Justices of any County from which such Borough before the passing of this Act was exempt, any law, statute, letters patent, charter, grant or custom to the contrary notwithstanding.

176.
County Jus-
tices to have
Jurisdiction
in all Bo-
roughs which
have not a
separate Court
of Sessions of
the Peace.

And be it Enacted, That from and after the passing of this Act, so much of all laws, statutes and usages, and so much of all royal and other charters, grants and letters patent heretofore granted to any Borough, or any Body Corporate in any Borough, whereby such Borough, or any place within the precincts or liberties of the same, or such Body Corporate, or the freemen or inhabitants of the same, claims or claim to be exempted and released from the jurisdiction and office of the Lord High Admiral of England, or of the High Court of the Admiralty of England or Ireland, or whereby any such Body Corporate, or any Mayor, Bailiff, Recorder, Steward or other chartered or corporate Officer of any Borough, has or claims any thing belonging to the office of Admiral, whether or not to be exercised by virtue of any Commission to them or any of them to be directed, shall be and the same is hereby repealed.

177.
Chartered
Admiralty
Jurisdictions
abolished.

And be it Enacted, That in every Borough to which Her Majesty shall have granted, or in which there shall continue to be a separate Court of Sessions of the Peace, or a Court of Record for the trial of Civil Actions as aforesaid, there shall be holden or continue to be holden a Court of Record for the trial of Civil Actions ; and the Recorder of such Borough shall be the sole Judge of such Court, and in all cases where by charter or custom there is or ought to be holden such a Court of Record shall have jurisdiction to hold and continue such Court for the purpose of disposing of all causes pending therein before or at the time of the

178.
Jurisdiction
of Court of
Record.

appointment of such Recorder, at such times and places, and with
 such rules and practice, and with the same powers and jurisdiction
 as belonged to the said Court at the time of the passing of this Act ;
 and in all other causes such Recorder shall have jurisdiction to
 proceed either by process of attachment of goods or by serviceable 5
 process, according to the provisions hereinafter contained, with
 authority to try, in a summary way as hereinafter provided,
 actions of assumpsit, covenant and debt, whether the debt be by
 specialty or on simple contract, and all actions of trespass or
 trover for taking goods and chattels, provided the sum or damages 10
 sought to be recovered shall not exceed Twenty Pounds, and
 either the cause of action shall have accrued within such Borough,
 or the defendant or one of the defendants shall be resident therein,
 and also all actions of ejectment between landlord and tenant,
 wherein the annual rent of the premises of which possession is 15
 sought to be recovered shall not exceed Twenty Pounds; and also
 to try, according to the course of the common law, actions of
 assumpsit, covenant and debt, whether the debt be by specialty or
 on simple contract, and all actions of trespass or trover for taking
 goods and chattels, provided the sum or damages sought to be 20
 recovered shall not exceed Fifty Pounds, and the cause of action
 shall have accrued within such Borough; and such actions shall
 not be removed or removable to any of Her Majesty's Superior
 Courts by writ of certiorari or any other process, save writ of
 error after judgment, where the proceeding is according to the 25
 course of the common law: Provided also, That every such Judge
 respectively from time to time may make rules for regulating the
 practice and pleading of such Court over which he presides, but so
 that no such rules shall be of force until they shall have been allowed
 and confirmed by the Judges of Her Majesty's Court of Queen's 30
 Bench in Dublin, or any Three of them.

179.
 Appointment
 of Clerk of
 the Crown or
 Clerk of the
 Peace.

And be it Enacted, That in every Borough being a County of a
 City or County of a Town, wherein the office of Clerk of the Crown
 or Clerk of the Peace is now by law in the appointment of the
 Corporation of such Borough, or any member or officer thereof, or 35
 the Court of Quarter Sessions or Justices of such Borough, or held
 by any officer of any such Corporation in right of his office, and in
 every Borough not being a County of a City or County of a Town,
 to which a separate commission of the peace shall be granted, it shall
 and may be lawful for the Lord Lieutenant to grant from time to 40
 time to any person the offices of Clerk of the Peace and Clerk of the
 Crown of such Borough, or either of them; and the Clerk of the
 Peace of the County of Londonderry and the Coroners of the said
 County shall, whenever after the passing of this Act such offices
 respectively shall become vacant, be appointed and elected in the
 same

same manner as the Clerk of the Peace and Coroner of any other County at large in Ireland: Provided always, That nothing herein contained shall prejudice or affect any right which any person may have to any such office, by reason of any appointment of any such Court or Justices heretofore made, in case such Court or Justices were entitled to make the same.

And be it Enacted, That in any Borough wherein there shall be a Court of Record for the trial of civil actions, the Council shall appoint such other officers and servants as are necessary for carrying on the business and executing the process of such Court; and that no Registrar or other officer of such Court shall by himself or his partner practise as an Attorney in such Court.

180.
Appointment
of Officers
of Court of
Record, &c.

And be it Enacted, That no suit commenced in any Court of Record in any Borough before the passing of this Act shall abate by reason of any change that shall have been worked in the constitution of such Court by the provisions of this Act; but that the same may be heard and determined as if it had been commenced before such Judge, according to the provisions hereinbefore contained in that behalf.

181.
Existing Suits
not to abate
by reason of
the change of
Jurisdiction.

And be it Enacted, That from and after the time when this Act shall come into operation in any Borough, including the City of Dublin, every person being a Burgess of any Borough wherein there shall be a separate Court of Sessions of the Peace, or a Court of Record for the trial of civil actions, (who would be qualified to serve on a jury, according to the provisions of an Act passed in the session of Parliament holden in the third and fourth years of the reign of his late Majesty King WILLIAM the Fourth, intituled, "An Act for consolidating and amending the Laws relative to Jurors and Juries in Ireland,") shall be qualified and liable to serve on Grand Juries in such Borough, and also upon Juries for the trial of all issues joined in any Court of Sessions of the Peace and in any Court of Record for the trial of civil actions, triable within the Borough of which such person shall be a Burgess; and the Clerk of the Peace of every such Borough shall give public notice of the time and place of holding every such Sessions of the Peace Ten Days at least before the holding thereof, and in Boroughs being Counties of Cities or Counties of Towns, the Sheriff thereof, and in other Boroughs the Clerk of the Peace thereof, shall, Seven Days at the least before the holding thereof, cause to be summoned a sufficient number of persons, being qualified and liable as aforesaid to serve as Grand Jurors at such Sessions; and in Boroughs being Counties as aforesaid the Sheriff, and in other Boroughs the Clerk of the Peace and Registrar of the Court of Record respectively, shall also cause to be summoned not

182.
Who to be
Jurors.

3 & 4 W. 4,
c. 91.

Fine for non-attendance.

less than Thirty-six nor more than Sixty persons so liable and qualified as aforesaid to serve as Jurors at every such Sessions, and at the holding of every such Court of Record for the trial of causes; and such summons shall be made by showing to the person to be summoned, or in case he shall be absent from the usual place of his abode by leaving with some person therein inhabiting, a note in writing under the hand of such Sheriff, Clerk of the Peace, or Registrar respectively, containing the substance of such summons; and such Sheriff or Clerk of the Peace respectively shall make out a list of the names of such persons so summoned as Grand Jurors; and such Sheriff, Clerk of the Peace, or Registrar respectively, shall also make out a panel of such persons so summoned other than Grand Jurors; and such list and panel shall respectively contain therein the christian names and surnames, places of abode, and descriptions of the several persons therein named; and if any person having been duly summoned to attend on any Jury shall not attend in pursuance of such summons, or, being thrice called, shall not answer to his name, or after his appearance wilfully withdraw himself from the presence of the Court, the Court shall impose such fine upon every person so making default (unless some reasonable excuse shall be proved to the satisfaction of the Court) as the Court shall think meet; and if any person on whom such fine shall be imposed shall refuse to pay the same to the person who shall be authorized by the Court to receive the same, it shall be lawful for the Court, then or at its next sitting, by order of the Court, signed by the Clerk of the Peace or Registrar respectively, to cause to be levied, by distress and sale of the goods of the person on whom such fine shall have been imposed, every such fine and the reasonable charges of such distress and sale; and every fine so received shall be paid to the Treasurer of the Borough, to be by him carried to the account of the Borough Fund hereinbefore mentioned: Provided nevertheless, That no person shall be summoned and compelled to serve as a Juror at such Sessions or Court of Record oftener than once in any One Year, unless every person qualified and liable to serve shall have been summoned once during that year.

183.
Justices, &c.
exempt from
serving on
Juries.

And be it Enacted, That after the time when this Act shall come into operation in any Borough, every member of the Council for the time being of the Borough, and Justice assigned to keep the peace therein, and every Officer of Police therein, and the Treasurer and Town Clerk for the time being of every such Borough, shall be exempt and disqualified from serving on any Jury summoned within such Borough respectively, save and except the Juries summoned for an Assize or Gaol Delivery.

And

184.
Proceedings
by Attach-
ment in Court
of Record.

And be it Enacted, That in all cases of debt or liquidated damages, in which the plaintiff shall be desirous of proceeding in the Court of Record of any Borough, by way of attachment of goods, the plaintiff, or one of the plaintiffs, or some person
5 able to depose to the facts of his own knowledge, shall first make affidavit before the Recorder or the Mayor (who is hereby empowered to take such or any other affidavits in the said Court) of the cause of action, and that the same has accrued within such Bo-
rough, or else, where the debt or damages do not exceed Twenty
10 Pounds, that the defendant, or one of the defendants, is resident therein (describing such defendant by his name, addition, and residence particularly), and that the deponent is apprehensive that such debt or damages is or are in danger of being lost to the plaintiff, unless aided by process of the said Court to attach the goods of the
15 defendant, and thereupon it shall be lawful for such Recorder or Mayor to issue an Attachment directed to the proper officer of the Court to be appointed in that behalf as aforesaid, requiring him, according to the Form Number 1, in Schedule (E.) to this Act annexed, to attach the goods of the defendant within the Borough;
20 and thereupon such officer is hereby authorized and required to seize such goods, and to detain the same until the defendant shall have given special bail to pay such sums of money as may be adjudged to the plaintiff in that suit, which bail may be taken either by the Recorder or by the Mayor of such Borough: Provided always,
25 That in any Borough in which by usage or charter the goods, monies or credits of the defendant, may by process of foreign attachment be attached in the hands of a third person, such process by foreign attachment may, until Parliament shall otherwise provide, be proceeded upon in the Court of Record of such
30 Borough under this Act, with such rules of practice, and with the same powers and jurisdiction, as belonged to the said Court at the time of the passing of this Act: Provided always, That no such foreign attachment shall be issued unless a common attachment against the goods of the defendant shall first have issued, and
35 unless thereupon a further affidavit shall be made as aforesaid, describing the goods, monies or credits sought to be attached in the hands of such third person, and stating that the same belong to the defendant; and such third person, in case he claims a property in such goods, shall be permitted to give bail for the same in manner
40 aforesaid.

Process by
Foreign
Attachment.

And be it Enacted, That upon the appearance of the defendant upon any such common attachment, and upon the appearance of the garnishee upon any such foreign attachment, the plaintiff, in all cases where the debt or damages do not exceed Twenty Pounds, shall proceed by way of civil bill thereupon, and not according to

185.
Where the
Proceedings
shall be by
Civil Bill.

the course of the common law, by filing such civil bill in the said Court, and giving notice in writing of such filing, together with a copy of such civil bill, to the party or his attorney in the proceeding.

186.
Form of
Proceeding.

And be it Enacted, That in all such cases, and in all other cases wherein the debt or damages do not exceed Twenty Pounds, and the plaintiff shall elect to proceed by serviceable process only in such Court of Record, and in all cases of ejectment triable in such Court of Record, and also in all cases in which the Recorder of any Borough has now by law any jurisdiction of proceeding in any case by way of Civil Bill, the proceeding shall be, as nearly as circumstances will admit, in the forms, and according to the course, and with such right of appeal to a Judge of Assize or at Nisi Prius of the County or City in which, for such purpose, such Borough, or any part thereof, shall be situate, as is by law provided in cases of Civil Bills determinable before any Assistant Barrister, Chairman or Recorder, as the case may be, and in cases where the Plaintiff shall proceed in such Court according to the course of the common law, and shall recover in debt or damages an amount not exceeding Twenty Pounds, such Plaintiff shall not recover any costs of suit, unless the Judge before whom any such case shall be tried shall certify upon record under his hand, that the case was a proper case to be tried according to the course of the common law.

187.
Attornies in
Court of
Record.

And be it Enacted, That any Attorney of any of the Superior Courts of Record in Dublin shall be admissible to practise in the Court of Record of any such Borough, without payment of any fee or stamp-duty upon such his admission, and may continue to practise therein so long as he continues an Attorney of some of the Superior Courts of Record aforesaid, and is in all other respects duly qualified to act and practise as such Attorney.

188.
Court of
Conscience.

AND whereas in several of the Boroughs in Ireland there have been courts for the recovery of small debts in a summary way, commonly called Courts of Conscience; and such Courts when well regulated have been found useful to the poorer inhabitants of the said Boroughs, and it is expedient to make new and further provisions for the establishment and regulation of such Courts in certain cases; BE it Enacted, That from and after the passing of this Act all the powers, authorities and jurisdictions of any existing Court for the Recovery of Small Debts, commonly called the Court of Conscience, in every Borough, whether the same shall have been established by usage, statute or otherwise, shall continue in the same manner as if this Act had not been passed, until the Lord Lieutenant shall think proper to determine the same; and at any time it shall be lawful for the Lord Lieutenant, by an order under

under his hand, to declare that any such Court shall be discontinued at a time to be mentioned in such order, and to be not less than Two calendar Months after the date of such order; and every such order shall be advertised in the Dublin Gazette; and at the time appointed for that purpose in such order, such Court of Conscience, and all powers, authorities and jurisdictions thereof, shall wholly cease and determine, save only as to the execution of any decrees or orders of the said Court theretofore lawfully made.

10 And be it Enacted, That in case the Lord Lieutenant, with the advice and consent of Her Majesty's Privy Council in Ireland, shall at any time think it expedient that any Court of Conscience now existing shall be continued, under such regulations as are herein contained, or that a Court of Conscience shall be established
 15 under such regulations in any Borough where no such Court now exists, provided that there shall then be a Court of Record in such Borough, then the Lord Lieutenant shall, upon the application of the Council, Commissioners or Guardians, acting under this Act for such Borough, direct that there shall be such a Court, either
 20 before the Mayor of the said Borough, or the Deputy of such Mayor duly appointed by him by writing under his hand, with the consent of the Council of such Borough, signified by a resolution of such Council duly convened for that purpose or before such Barrister as hereinafter mentioned, a court for the recovery of small
 25 debts, to be called the Court of Conscience of such Borough, and that the Mayor of the said Borough, or his Deputy for the time being duly appointed, or such Barrister, shall be the President or Judge of such Court; and the Lord Lieutenant shall, upon the application of the Council, (if he shall think proper) appoint a fit
 30 person, being a Barrister-at-law of not less than Six Years' standing, who shall be and be called the Judge of the Court of Conscience for such Borough, and shall hold such office during good behaviour; and in the event of any vacancy in such office, the Lord Lieutenant shall appoint thereto another person qualified as aforesaid; and
 35 from and after the appointment of such President or Judge in such Borough, a Court shall be holden for the recovery of small debts, to be called the Court of Conscience of such Borough; and the President or Judge of such Court shall have full power and authority to hear and determine in a summary way causes in all small
 40 debts between party and party not exceeding in amount the sum of Forty Shillings, where the cause of action shall have accrued within the said Borough, or the defendant shall reside within the same.

189.
 Lord Lieutenant, with consent of Privy Council, may appoint a Court of Conscience under the regulations of the Act in the same or any other Town.

190.
Regulating
the Office of
President of
the Court of
Conscience.

AND whereas the office of President of the Court of Conscience, in the City of Dublin, is now by law vested in and the duties thereof are performed by the Alderman who shall have served in the office of Lord Mayor for the next preceding year, and for the term of One year next after he shall have served in that office: BE it Enacted, that from and after the passing of this Act, all the powers, authorities, usages and jurisdictions of the Alderman who now is President of the said Court of Conscience, and of the Alderman now in office as Lord Mayor of the City of Dublin, who having served in the office of Lord Mayor in the present year would, but for the foregoing provisions of this Act, be the President of the said Court in the next succeeding year, shall continue in the same manner as if this Act had not been passed; and the said Two Aldermen, as Presidents, successively, of the said Court, shall and may, each during his year of office as such President, call to his assistance any person who shall have been at the time of the passing of this Act an Alderman, Sheriff or Sheriffs' Peer of the said City, as hath been heretofore usually done and practised, and shall respectively be entitled to the fees and emoluments which, if this Act had not been passed, they would respectively be entitled to acquire or to enjoy in respect of the said Court of Conscience; and in all cases in which an appeal from any decision or order of the said Court of Conscience is now by law given to the party aggrieved by such decision or order, to the Chief or any Judge of any of Her Majesty's supreme Courts of Law in Ireland sitting at Nisi Prius, such party shall be entitled to such appeal in the manner now by law allowed, as fully as if this Act had not been passed: Provided always, That in case of the death, resignation or removal from such office of either of said Aldermen, during his term of office, the person to be appointed under this Act Judge or President of the Court of Conscience of the City of Dublin shall act as such Judge or President instead of the Alderman so dying, resigning or being removed, for and during the residue then unexpired of the term of office of the Alderman so dying, resigning or being removed, with the like powers, authorities, usages, jurisdictions, and in like manner to all intents and purposes, as such Alderman, but for such event, might have continued to act.

191.
Proceedings
in Courts of
Conscience.

And be it Enacted, That the said Court shall be held at such times and in such place within the said Borough as the Council, Commissioners or Guardians acting for the said Borough shall direct; and the proceedings in said Court shall be by summons in the form Number 2, specified in Schedule (E.) to this Act annexed, stating the names of the parties, plaintiff and defendant, the nature and amount of the debt, and the time and place when and where the defendant is required to appear and answer the said claim; and such

such summons shall be served on the said defendant personally, or, in case of difficulty in effecting personal service, arising from the acts or contrivance of the said defendant, by serving the same in such manner as the President of the said Court shall direct, and in such case a copy of the order for such substitution of service shall be served along with and in the same manner as the summons; and in all cases the summons shall be served in manner aforementioned One clear day at the least previously to the hearing of the cause; and in case the said defendant shall appear, or if the plaintiff shall prove by affidavit (which, and all other affidavits in the said Court, the said President is hereby empowered to take), the due service of the said summons, or summons and order as aforesaid, the President of the said Court shall proceed to hear the said cause and the statement of the said party or parties, or their attorney or attornies, and all competent witnesses and other legal evidence produced by them or either of them, and shall determine the same: Provided always, That it shall be lawful for either party to require the other to be examined upon oath touching the said claim, but that neither of the said parties shall be admitted by his own evidence, on oath or otherwise, to support his own case.

And be it Enacted, That upon such evidence as shall be adduced, and the admissions of the said parties, if required to be examined as aforesaid, the said President shall decide upon the case, and shall make an order either for the payment of the sum claimed by the plaintiff or any part thereof, together with his costs of suit, according to a table of costs to be settled for the said Courts in manner hereinafter provided, or for dismissing the said summons, and in such case to order the plaintiff to pay to the defendant his reasonable costs according to the said table, or may adjourn the cause to some other day, as justice may require; and every such order shall specify a time within which such payment of debt and costs, or of costs, as the case may be, shall be made, either by instalments or otherwise; and every order dismissing such summons shall be expressed therein to be either "on the merits" or "without prejudice to any other proceeding for the said demand;" and in case the party against whom such order for the payment of the said debt and costs, or of such costs, shall be made, shall not pay the amount thereof pursuant to the terms of the said order, it shall be lawful for the President of the said court, upon affidavit made of the service of a copy of such order on such party personally, or at his dwelling-house, office or shop, or last known place of residence within the said Borough, and of the non-payment of any sum of money mentioned in such order pursuant to the terms thereof, to issue his warrant under his hand to levy the amount thereof by distress and sale of the goods of the said party.

192.
Order of
Court of Con-
science.

193.
Re-hearings
and Appeals
upon cases in
Court of Con-
science.

And be it Enacted, That no re-hearing of any cause shall be had in the said Court, except only in cases where the same shall have been dismissed "without prejudice to any other proceeding," as aforesaid; and that if any party shall think himself aggrieved by any such order of the said Court, either for pay- 5
ment of the said debt and costs, or for dismissing his cause on the merits as aforesaid, it shall be lawful for such party to appeal therefrom to the Recorder of the said Borough; provided that in case of such appeal the party so appealing shall give 10
notice of such appeal to the President of the said Court, and also to the opposite party in the said cause; and the said appeals may be forthwith proceeded upon before such Recorder at the Court of the said Recorder, if then holden, or at the next or any subsequent Court of such Recorder, to be held within Six calendar Months from 15
the time of the service of such order upon the party so appealing; and such Recorder shall have full power and authority to proceed to hear such cause, and to rescind and vary or reverse or affirm the said order, either for the payment of the said debt and costs, together with 20
reasonable costs of such appeal, pursuant to the said table of costs, or for the payment of such costs only as aforesaid, as justice shall require; and in case of non-payment of the sum or sums of money mentioned 25
in such order, on like affidavit of the due service thereof in manner aforesaid, to issue his warrant under his hand to levy the amount thereof by distress and sale of the goods of the said party, in the same manner as the said President of the said Court of Conscience is 30
hereby authorized: Provided always, That such notice of appeal shall not operate to stay execution of any order or warrant of the said President of the said Court of Conscience, unless the party appealing therefrom shall enter into a bond to the Mayor of the said Borough, by himself and Two sufficient Sureties, jointly and severally 35
bound in double the amount of the sums mentioned in such order, that such party so appealing shall prosecute such appeal with effect, and in case such order shall be affirmed in the whole or in part on such appeal to pay the sum mentioned in such order of affirmation, either for debt and costs, or for costs: Provided always, That such 40
bond shall not be liable to any stamp-duty.

194.
Books of
Proceedings
to be provided
and kept.

And be it Enacted, That the President of the said Court of Conscience, or the Town Clerk under his order, shall make or cause to be made fair and regular entries in books to be provided by the 40
Town Clerk, under the direction of the Council, for that purpose, of all judgments, orders, directions, regulations, acts and proceedings of the said President in or relating to the execution of the several powers and authorities vested in him as Judge in such Court as aforesaid, and shall sign the same; and such entries, when so signed, shall be allowed in evidence in proof of the proceedings of such 45
Court

Court in all Courts whatsoever; and if any person within the jurisdiction of the said Court, after having been duly served with a summons to be issued by the Clerk thereof, and paid or tendered his reasonable expenses to attend and give evidence at a time and place in such summons mentioned, on behalf of any plaintiff or defendant, shall refuse or neglect to appear pursuant to such summons, due proof being made of the service of such summons, and no sufficient cause for his non-appearance being shown to the satisfaction of the Court upon affidavit, or if the person so served with such summons shall appear and refuse to give evidence touching the matter in question, then and in every such case it shall be lawful for such President, if satisfied upon affidavit that such person not appearing was duly served with such summons, and was a material witness for the party on whose behalf he was so summoned, or that such person appearing and refusing to give evidence as aforesaid was a competent and material witness for the party on whose behalf he was called, to impose any fine not exceeding Fifty Shillings on every such person; and in case such fine shall not be paid forthwith, such fine may be levied by distress and sale of the goods of the offender, by warrant under the hand of such President, rendering the overplus (if any), after deducting such fine, and the costs and charges of such distress, to the owner of the goods; and such fine, when levied, shall be paid over to the party on whose behalf such person shall have been summoned or called upon to give evidence; and in case any person shall be guilty of a contempt of the said Court, it shall be lawful for such President to direct that such offender be taken into custody, and any officer of the Court, with or without the assistance of any other person, may take such offender into custody accordingly; and the said President shall then examine into such contempt, and then, upon his own view, or upon oath of one or more other persons, impose a fine not exceeding Fifty Shillings for each offence on each offender; and if such fine shall not be forthwith paid, such President may commit the offender to any lawful prison within such Borough for any time not exceeding Twenty Days, or such fine may be levied by distress and sale of the goods of the offender in manner aforesaid, and paid to the Treasurer of such Borough, to the credit of the Borough Fund, and such offender may be detained in custody until the rising of the Court on the day of his offence, and for one hour after.

And be it Enacted, That it shall be lawful for the Judge of the Court of Conscience of any Borough named in the said Schedules, to appoint and remove at his pleasure a Clerk and other necessary Officers of such Court.

195.
Clerks, &c.
of Courts of
Conscience to
be appointed
by the Judge.

And be it Enacted, That the Council of every Borough shall and they are hereby required, within Six calendar Months next after their

196.
Fees payable
to the Clerk
of the Peace,
Clerk to the

Magistrates,
and Registrar
and Officers
of the Court
of Record.

their election, to make and settle a table of the fees which shall be taken by the Clerk of the Peace in those Boroughs in which a separate Court of Session of the Peace shall be holden, and in those Boroughs in which there shall be a Court of Record and a Court of Conscience a table of the fees to be taken by the Registrar and officers of such Courts; and such tables of fees shall be submitted to the Chief Justice and other Justices of Her Majesty's Court of Queen's Bench in Ireland; and when such tables of fees shall be confirmed and allowed by such Chief Justice or other Justices, or any Three of them, either as such table shall have been submitted to them, or with such alterations, additions or abatements as they shall think proper, the fees therein mentioned may thenceforth be lawfully taken by the person therein named to be entitled thereunto; and it shall be lawful for the Council of such Borough, from time to time as occasion may require, to make new tables of fees, to be taken instead of the fees contained in the tables which shall have been made as aforesaid, which new tables shall be confirmed and allowed in the manner hereinbefore mentioned, otherwise the same shall be of no validity; and that until tables of the fees so to be taken in any such Borough shall have been made and confirmed as aforesaid, it shall be lawful for such Clerk of the Peace at the Sessions for any such Borough to take the fees authorized by the table for the time being to be taken by the Clerk of the Peace at the Sessions for the County within or adjoining to which such Borough is situated, and for the Registrar and officers of such Court of Record or Court of Conscience to take the fees usually taken by them before the passing of this Act.

197.
Clerks to
Justices to
be entitled
to Fees
chargeable
under Act
7 & 8 G. 4.
c. 67.

And be it Enacted, That in those Boroughs to which a commission of the peace shall have been granted, the Clerk to the Justices shall be entitled to such fees (and no other) as are chargeable by and under an Act passed in the Session of Parliament holden in the seventh and eighth years of the reign of his Majesty King GEORGE the Fourth, intituled, "An Act for the better Administration of Justice at the holding of Petty Sessions by Justices of the Peace in Ireland," subject to such orders of the Justices as in that Act provided.

198.
Tables of Fees
to be hung up.

And be it Enacted, That the Town Clerk of every Borough shall cause a true copy of the Tables of Fees in force for the time being to be hung up in a conspicuous part of the room in which the business of his office is transacted, and also in the room wherein the Justices of the Peace of such Borough shall sit for transacting their business, and also in the room wherein the Court of Sessions of the Peace for the Borough shall be held, and also in the Court of Record and Court of Conscience of the said Borough respectively.

And

199.
Application
of Penalties.

And be it Enacted, That when by any Act any Penalties or Forfeitures are or shall hereafter be made recoverable in a summary manner before any Justice or Justices of the Peace, and by such Act respectively, the same are or shall be limited and made payable to Her Majesty, or to any Body Corporate, or to any person whomsoever, save and except the informer who shall sue for the same, or any party aggrieved, in every such case the same, if recovered and adjudged before any Justice of any Borough in which a separate Court of Sessions of the Peace shall be holden as aforesaid, shall, notwithstanding any thing in such Act respectively contained, be recovered for and adjudged to be paid to the Treasurer of such Borough for the time being, to the credit and on account of the Borough Fund of such Borough, or, where there shall be no Borough Fund, be paid to or for the use of the parish or union where such offence shall have been committed, to be applied in aid of the Poor Rate of such parish or union; and no such penalty or forfeiture, or share of such penalty or forfeiture, shall in any case be recovered by or adjudged to be paid to any other person than the said Treasurer, unless such person be the informer or the party aggrieved: Provided always, That nothing herein contained shall extend to any penalties or forfeitures recovered under any Act relating to the Customs, or to trade or navigation, and sued for by the direction of the Commissioners of Her Majesty's Customs, which shall be paid to such person as the said Commissioners shall direct to receive the same.

200.
Limitation of
time for Pro-
secution of
Offences
punishable on
summary
Conviction
under this
Act, and
Summons of
Offenders.

AND for the more effectual prosecution of offences punishable upon summary conviction by virtue of this Act, BE it Enacted, That the prosecution for every such offence shall be commenced within Twelve calendar Months after the committing of the offence, and not otherwise; and that where any person shall be charged, on the oath of a credible witness, with any such offence, before a Justice of the Peace, the Justice may summon the party charged to appear before any two Justices of the Peace acting in and for the Borough in which such offence shall have been committed, at a time and place to be named in such summons; and if such party shall not appear accordingly, the Justices of the Peace then and there present (upon proof of the due service of the summons by delivering a copy thereof to the party, or by delivering such copy at the party's usual place of abode to some inmate thereat, and explaining the purport thereof to such inmate), may either proceed to hear and determine the case in the absence of the party, or may issue their warrant for apprehending and bringing such party before them, as they shall think proper.

201.
Power to
summon
Witnesses.

And be it Enacted, That it shall be lawful for any Justice of the Peace acting in and for any Borough, to issue his summons requiring any person to appear before any such Justices of the Peace for the purpose

Penalty for disobedience of Summons, &c.

No Witness or Justice to be incompetent on the ground of rateability.

202.

Payment of Penalties, and Mode of levying the same.

purpose of giving evidence touching any offence against this Act; and if any person so summoned shall neglect or refuse to appear at the time and place appointed by such summons, and no reasonable excuse for his absence shall be proved before the Justices of the Peace then and there present, or if any person appearing in obedience to such summons shall refuse to be examined on oath touching any such offence by the Justices then and there present, every person so offending shall, on conviction thereof before the said Justices, or any other Justices of the Peace, forfeit and pay such sum of money, not exceeding Five Pounds, as to the convicting Justices shall seem meet; and no person, although liable to the rate contributing to the Borough Fund of any Borough shall be deemed an incompetent witness in proof of any offence against this Act by reason of any penalty or forfeiture for such offence being applicable to the use of such Borough Fund; and no Justice of the Peace shall be disabled from acting in the execution of this Act by reason of his being liable to the rate contributing to the Borough Fund of any Borough.

And be it Enacted, That the Justices of the Peace by whom any person shall be summarily convicted and adjudged to pay any sum of money for any offence against this Act, may adjudge that such person shall pay the same either immediately or within such period as the said Justices shall think fit; and in case such sum of money shall not be paid at the time so appointed, the same shall be levied by distress and sale of the goods and chattels of the offender, with the reasonable charges of such distress; and it shall be lawful for such Justices to order the offender to be detained in safe custody until return can conveniently be made to the warrant of distress, unless the said offender shall give sufficient security to the satisfaction of such Justices for his or her appearance before them on such day as shall be appointed for the return of such warrant of distress, such day not being more than Eight Days from the day of taking the security, and which security the said Justices are hereby empowered to take by way of recognizance or otherwise; and if upon the return of such warrant it shall appear that no sufficient distress can be had thereupon, or in case it shall appear to the satisfaction of such Justices, either by the confession of the offender or otherwise, that the offender hath not sufficient goods and chattels whereon such sum of money and costs may be levied were a warrant of distress issued, such Justices shall not be required to issue such warrant of distress, and thereupon it shall be lawful for any such Justices and they are hereby authorized and required to cause such offender to be imprisoned, with or without hard labour, in the common gaol or house of correction, as to the convicting Justices shall seem meet, for any term not exceeding One calendar Month where the sum to be paid shall not exceed Five Pounds, and for any term

term not exceeding Two calendar Months in any other case, the imprisonment to cease in each of the cases aforesaid upon payment of the sum due.

And be it Enacted, That the Justices of the Peace before whom any person shall be summarily convicted of any offence against this Act may cause the conviction to be drawn up in the following form of words, or in any other words to the like effect, as the case may require; (that is to say)

203.
Form of
Conviction.

“ to wit, } BE it Remembered, That on the day of
in the year of our Lord
in the Borough of in the County of
A. O. is convicted before us, J. P. and J. J. P., Two of
Her Majesty's Justices of the Peace for the said County
[or Borough, or otherwise, as the case may be], for that
the said A. O. did [here specify the offence, and the time
and place when and where the same was committed, as the
case may be]; and we do adjudge that the said A. O. shall
for the said offence forfeit the sum of , and
shall pay the same immediately [or shall pay the same on
or before the day of] to
the Treasurer for the said Borough, to be by him applied
according to the directions of the statute in that case made
and provided. Given under our hands the day and year
first above mentioned.”

And be it Enacted, That any person who shall think himself aggrieved by any summary conviction in pursuance of this Act, may appeal to the next Court of General or Quarter Sessions of the Peace to be holden, not less than Twelve Days after such conviction, for the County or Division of the County, or for the Borough wherein the cause of complaint shall have arisen, provided that such person shall give to the complainant a notice in writing of such appeal, and of the cause and matter thereof, within Three Days after such conviction, and Seven clear Days at the least before such Sessions, and shall also either remain in custody until the Sessions, or within such Three Days enter into a recognizance, with a sufficient surety, before a Justice of the Peace, conditioned personally to appear at the said Sessions, and to try such appeal, and to abide the judgment of the Court thereupon, and to pay such costs as shall be by the Court awarded; and upon such notice being given and such recognizance entered into, the Justice before whom the same shall be entered into shall liberate such person, if in custody; and the Court at such Sessions shall hear and determine the matter of the appeal, and shall make such order therein, with or without costs to either party, as to the Court shall seem meet, and in case of the

204.
Appeal
against
Convictions
under this
Act.

dismissal of the appeal or the affirmance of the conviction, shall order and adjudge the offender to be dealt with and punished according to the conviction, and to pay such costs as shall be awarded, and shall, if necessary, issue process for enforcing such judgment.

205.
No Certiorari, &c.

As to informality in Warrants, &c.

And be it Enacted, That no conviction, order, warrant or other matter made or purporting to be made by virtue of this Act shall be quashed for want of form, and no warrant of commitment shall be held void by reason of any defect therein, provided that it be therein alleged that it is founded on a conviction, and there be a good and valid conviction to sustain the same; and where any distress shall be made for levying any money by virtue of this Act, the distress itself shall not be deemed unlawful, nor the party making the same be deemed a trespasser, on account of any defect or want of form in the summons, conviction, warrant of distress or other proceedings relating thereto, nor shall the party distraining be deemed a trespasser ab initio on account of any irregularity afterwards committed by him, but the person aggrieved by such irregularity may recover full satisfaction for the special damage, if any, in an action upon the case. 5 10 15

206.
Limitation in Proceedings against Persons acting under this Act.

Notice of Action.

General Issue.

Tender of Amends, &c.

AND for the protection of persons acting in the execution of this Act, BE it Enacted, That all actions and prosecutions to be commenced against any person for any thing done in pursuance of this Act shall be commenced within Twelve calendar Months after the fact committed, and not otherwise; and notice in writing of such action, and of the cause thereof, shall be given to the defendant One calendar Month at least before the commencement of the action; and in any such action the defendant may plead the general issue, and give this Act and the special matter in evidence, at any trial to be had thereupon; and no plaintiff shall recover in any such action if tender of sufficient amends shall have been made before such action brought, or if a sufficient sum of money shall have been paid into Court after such action, by or on behalf of the defendant; and if a verdict shall pass for the defendant, or the plaintiff shall become nonsuit, or discontinue any such action after issue joined, or if upon demurrer or otherwise judgment shall be given against the plaintiff, the defendant shall recover his full costs as between attorney and client, and have the like remedy for the same as any defendant hath by law in other cases. 20 25 30 35

207.
Saving the rights of the Governor and Assistants of London of the New Plantation in Ulster, and of Lords of Manors.

And be it Enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter or take away any of the rights, privileges, powers or authorities vested in or enjoyed by, or duties or liabilities imposed upon, the Society of the Governor and Assistants of London of the New Plantation in Ulster within the realm of Ireland, 40

Ireland, under or by virtue of any charter or charters heretofore granted to them by the Crown, or of any Statute or Statutes in anywise relating thereto, or any rights, privileges, powers or authorities vested in or enjoyed by, or any liabilities imposed on any Lord
 5 of any Manor, or any person or persons other than the member or members of a Body Corporate in his or their corporate capacity, or a person or persons elected or appointed by any such Body Corporate, or some member or members thereof.

AND whereas an Act was passed in the last Session of Parliament,
 10 intituled, " An Act to restrain the alienation of Corporate Property in certain Towns in Ireland," whereby it is provided that no person who should have been appointed to any office or place of profit in or by any of the said bodies corporate since the Sixteenth day of February in the year One thousand eight hundred and Thirty-six,
 15 should be entitled, by reason of such appointment, to have any compensation for the loss of such office or place of profit, or of the fees and emoluments thereof, in case provision should be thereafter made by Parliament for removing him, or authorizing his removal from such office or place of profit, or for amending or abolishing the same :
 20 BE it Enacted, That every officer of any Borough or Body Corporate, except those appointed since the Sixteenth day of February One thousand eight hundred and Thirty-six, who shall hold any office of profit at the time when this Act shall come into operation in such Borough, whose office shall be abolished, or cease or become unne-
 25 cessary, by reason of this Act, or who shall be removed from his office under the provisions of this Act, or deprived of fees or emoluments to which he would have been entitled if this Act had not been passed, and who shall not be re-appointed under this Act, shall be entitled to have an adequate compensation, by way either of a sum
 30 in gross or of annuity, at the option of and to be assessed by the Council, Commissioners or Guardians, acting under this Act for that Borough, and paid out of the Borough Fund or Town Fund, as the case may be, for the salary, fees and emoluments of the office which he shall so cease to hold, regard being had to the manner of
 35 his appointment to the said office, and his term or interest therein, and all other circumstances of the case ; and every person entitled to such compensation as aforesaid shall deliver to the Town Clerk, or in case such person shall himself be Town Clerk, then to the Treasurer of the Borough, a statement under the hand of such person,
 40 setting forth the amount received by him or his predecessors in every year during the period of Five Years next before the passing of this Act, on account of the salary, fees, emoluments, profits and perquisites in respect whereof he shall claim such compensation, distinguishing the office, place, situation, employment or appointment in respect whereof the same shall have been received, and containing

208.
 Officers to
 receive Com-
 pensation on
 removal.

a declaration that the same is a true statement according to the best of the knowledge, information and belief of such person, and also setting forth the sum claimed by him as such compensation; and the Town Clerk or Treasurer, as the case shall be, shall lay such statement before the Council, Commissioners or Guardians acting under this Act for that Borough, who shall take the same into consideration, and determine thereon; and immediately upon such determination being made, the person preferring such claim, if he shall not himself be the Town Clerk, shall be informed thereof by notice in writing under the hand of the Town Clerk; and in case such claim shall be admitted in part and disallowed in part, such notice shall specify the particulars in which the same shall have been admitted and disallowed respectively; and in case the person preferring such claim shall think himself aggrieved by the determination of the Council, Commissioners or Guardians acting under this Act for that Borough, thereon, or in case One-third of the members of the Council, Commissioners or Guardians acting under this Act for that Borough, shall subscribe a protest against the amount of compensation allowed by such determination as excessive, it shall be lawful for the person preferring such claim, or any member of the Council, Commissioner or Guardian, as the case may be, who shall subscribe such protest, to appeal to the Lords Commissioners of Her Majesty's Treasury, who shall thereupon make such order as to them shall seem just; and such order, signed by Three or more of such Lords Commissioners, shall be binding on all parties: Provided always, That if the Council, Commissioners or Guardians so acting for such Borough, shall not determine on such claim within Six calendar Months after the aforesaid statement shall be delivered to the Town Clerk or Treasurer, as the case shall be, such claim shall be considered as admitted: Provided also, That it shall not be lawful for any member of the Council, Commissioner or Guardian, to subscribe such protest as aforesaid except within such period of Six calendar Months: Provided also, That the person preferring such claim, if any member of the Council, Commissioner or Guardian shall so require, upon receiving notice in writing signed by the Town Clerk, unless such person shall himself be Town Clerk, in which case no such notice shall be requisite, shall from time to time attend at any meeting or adjourned meeting of the Council, Commissioners or Guardians, for the investigation of such claim, and then and there, upon his oath or solemn affirmation, to be taken or made before the Mayor or Chairman (who is hereby authorized to administer the same), shall answer all such questions as shall be asked by any member of the Council, Commissioner or Guardian, touching the matters set forth in the statement subscribed by such person as aforesaid, and produce all books, papers and writings in his possession, custody or power relating thereto: Provided also,

also, That every such officer who shall be continued in or re-appointed to such office under the provisions of this Act, and who shall be subsequently removed from such office for any cause other than such misconduct as would warrant removal from any office held during good behaviour, shall be entitled to compensation in like manner as if he had been forthwith removed under the provisions of this Act, and had not been continued in or re-appointed to such office.

AND whereas it has been usual for every Alderman of the said City, on his election, to pay to the Treasurer of the Corporation the sum of Two hundred and ninety-five Pounds, which sum is applied to a fund called "The junior Alderman's Fund for the Repairs and Embellishments of the Mansion-house," and it is just and reasonable that any such junior Alderman should be indemnified by and out of the Borough Fund of the said City, for the sums respectively paid by them on their election for the purpose aforesaid; BE it Enacted, That it shall be lawful for the Council of the said Borough, and they are hereby required, out of the Borough Fund, to repay or cause to be repaid unto such of the junior Aldermen of the City of Dublin, who shall bonâ fide have paid any such sum before the passing of this Act, and who at the time this Act shall come into operation in the said Borough shall not have become Lord Mayor, all such sum or sums of money as every such junior Alderman may have bonâ fide paid on his election before the passing of this Act, for or towards the repairs and embellishment of the Mansion-house of the said City, not exceeding in the whole for each such junior Alderman, the sum of Two hundred and ninety-five Pounds.

209.
Compensation
to junior
Aldermen of
Dublin.

And be it Enacted, That in the case of any Borough named in said Schedule (A.) or said Schedule (B.) in which there shall be a body corporate under the provisions of this Act, the amount of the sum or annuity payable to any person as such compensation as aforesaid, if not forthwith paid, shall be secured to such person by bond under the common seal of the Borough out of whose funds the same shall be payable, in a sufficient penalty, conditioned for the payment to such person, his executors or administrators or assigns, of the amount of such sum, with interest, and all arrears thereof (if any) accrued due before the date of such bond; and when any person shall be entitled to any annuity, pension, allowance, stipend or sum of money payable out of the Borough Fund of any Borough, the said Council of such Borough shall give such Bond, securing to such person, his executors and administrators, such annuity, pension, allowance, stipend, or sum of money, with all arrears thereof, if any, accrued due before the date of such Bond; and in the case of any Borough named in the said Schedule (B.) to

210.
Compensation
to be secured
by Bond or
Certificate
under Com-
mon Seal.

which no such Charter of Incorporation shall have been granted as
aforesaid, the amount of the sum or annuity payable to any person
as such compensation as aforesaid, if not forthwith paid, shall be
secured to such person by certificate in writing under the Seal of
the Commissioners or Guardians acting for the Borough out of the
Town Fund of which the same shall be payable, stating that the
Town Fund of the town in which such person shall be or have
been in office is liable to the payment to such person, his
executors, administrators or assigns, of the amount of such sum,
with interest and all arrears (if any) accrued due before the date of
such certificate respectively; and when any person shall be entitled
to any annuity, pension, allowance, stipend or sum of money pay-
able out of the Town Fund of any Borough which shall be suffi-
cient for payment thereof, the said Commissioners or Guardians
acting for such Borough shall give a certificate under their common
seal to such person that such Town Fund is liable to the payment to
such person, his executors and administrators, of such annuity, pension,
allowance, stipend or sum of money, with all arrears thereof, if any,
accrued due before the date of such certificate; and every such
bond and certificate shall be prepared and executed at the expense of
such Borough Fund or Town Fund respectively, and delivered to the
person entitled to such compensation as soon as conveniently may
be after the amount thereof shall have been determined as aforesaid
by the said Council, Commissioners or Guardians, as the case may
be, or shall have been determined, in the event of such appeal as
aforesaid, by order of the said Lords Commissioners of the Treasury.

211.
When the
Act shall
come into
operation.

And be it Enacted, That as soon as any rate for the relief of
the destitute poor in Ireland shall have been made in any of the
Boroughs named in either of the said Schedules (A.) or (B.), the Poor
Law Commissioners shall certify under their seal to the Lord Lieu-
tenant that such rate has been made, and shall state in such Certi-
ficate the day on which such rate will become payable, and upon the
Poor Law Commissioners so certifying as to any of the Boroughs
named in said Schedule (A.), Lord Lieutenant shall cause such Cer-
tificate to be published in the Dublin Gazette, with a declaration that
this Act shall upon the day so to be stated in such certificate be in
force in the Borough or Boroughs named in the Certificate; and
upon such day this Act shall come into operation, commence and be
in force in the Borough or Boroughs named in such Certificate.

212.
Periods con-
nected with
first Regis-
tration and
Election may
be deferred
by Orders in
Council.

AND whereas it may happen that the several provisions of this
Act cannot be carried into effect within the several periods herein-
before specified and limited in that behalf; BE it therefore Enacted,
That it shall be lawful for the Lord Lieutenant of Ireland, if he shall
think fit, by the advice of Her Majesty's Privy Council there, to
order

order any convenient day after this Act shall come into operation in any Borough for doing the several matters required or authorized by this Act to happen or to be done on the Twenty-fifth day of October in the first year in which this Act shall come into operation in that Borough, instead of the said Twenty-fifth day of October, and in such case all matters mentioned in such order shall be done in the said year on such day as shall be mentioned in that behalf in such order, as if the day mentioned in such order had in every instance been mentioned in this Act, instead of the said Twenty-fifth day of October, and not otherwise; and all things required or authorized by this Act to happen or to be done on any other day, or within any time from or after any day named in this Act, shall be done in the said first year on such other days and within such other times as shall have the same relation in point of time to the day so ordered by the Lord Lieutenant, instead of the Twenty-fifth day of October as the days and time mentioned in this Act have to the said Twenty-fifth day of October, but if any such day fall on a Sunday then on the following day; and no person shall be entitled to be enrolled in the Burgess Roll of any Borough in the first year in which this Act shall come into operation in that Borough unless he would have been entitled on the Fifth day next before the day so ordered by the Lord Lieutenant to have his name included in some Churchwarden's List, if such list had been made out on the said Fifth day next before the day so ordered.

And be it Enacted, That in the construction of this Act the word "Borough" shall be construed to mean City, Borough or Town Corporate, and, where the name of such Borough has belonged to a County of a City or County of a Town, shall be construed to include in its meaning, County of a City or County of a Town; and the words "Body Corporate" shall be construed to include all guilds and fraternities of, within or connected with such Body Corporate; and the word "Burgess" shall be construed to mean Citizen, in the case of a City; and the word "County" shall be construed to mean County or Riding; and the word "Trustees" shall be construed to mean Trustees, Commissioners or Directors, or the persons charged with the execution of a trust or public duty, by whatever name they are designated; and the word "Parish" shall be construed to extend to any extra-parochial precinct or place as well as a parish; and the word "Land" shall be construed to include any Land, whether the same shall or shall not have any building thereon; and the words "Lord Lieutenant" shall be construed to mean the Lord Lieutenant, Lords Justices, or other Chief Governor or Governors of Ireland; and the words "Lord Chancellor" shall be construed to mean the Lord Chancellor or Lord Keeper, or Lords Commissioners for the custody of the great seal; and that in all things herein provided to be done,

213.
Interpreta-
tion Clause.

until the first election of Councillors in any Borough under this Act shall have been declared, the word " Mayor " shall be construed to mean the chief Officer of a Borough, by whatever name he is now called, or when there may be no such chief Officer, the Returning Officer at elections of Members to serve in Parliament for such Borough, or when there may be neither any such chief Officer or Returning Officer, then such person as the Lord Lieutenant for the time being shall by writing under his hand appoint to perform the duty of Mayor under the provisions herein contained; and in describing any person or thing, any word importing the singular number shall be construed to mean also several persons or things respectively, unless there be something in the subject or context repugnant to such construction; and that no misnomer or inaccurate description of any person, Body Corporate, or place named in any Schedule to this Act annexed, or in any Roll, List, Ward List, Notice or Voting Paper required by this Act, shall hinder the full operation of this Act with respect to such person or place, provided that such person or place shall be so named as to be commonly understood; and in all cases where an oath or affidavit is required under this Act, the affirmation or declaration of a Quaker, Moravian, or Separatist shall be accepted in lieu of such oath or affidavit.

214.
Act may be
altered this
Session.

And be it Enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

SCHEDULES TO WHICH THIS ACT REFERS.

SCHEDULE (A.)

BOROUGH.	Wards.	Aldermen.	Councillors.	STYLE OF CORPORATE BODY.
BELFAST - - -	5	10	30	- - The Sovereign, Free Burgesses and Commonalty of the Borough of Belfast.
CLONMEL - - -	2	6	18	- - The Mayor, Free Burgesses and Commonalty of the Town of Clonmel.
CORK - - -	8	16	48	- - The Mayor, Sheriffs and Commonalty of the City of Cork.
DROGHEDA - - -	3	6	18	- - The Mayor, Sheriffs, Burgesses and Commonalty of the County of the Town of Drogheda.
DUBLIN - - -				- - The Right Honourable the Lord Mayor, Sheriffs, Commons and Citizens of the City of Dublin.
GALWAY - - -	3	6	18	- - The Mayor, Sheriffs, Free Burgesses and Commonalty of the Town and County of the Town of Galway.
KILKENNY - - -	2	6	18	{ The Mayor and Citizens of the City of Kilkenny. - - The Portreeve, Burgesses and Commons of the Borough or Town of Irishtown.
LIMERICK - - -	5	10	30	- - The Mayor, Sheriffs and Citizens of the City of Limerick.
LONDONDERRY - - -	3	6	18	The Mayor, Commonalty and Citizens of Londonderry.
SLIGO - - -	3	6	18	- - The Provost, Free Burgesses and Commonalty of the Borough of Sligo.
WATERFORD - - -	5	10	30	- - The Mayor, Sheriffs and Citizens of the County of the City of Waterford in the Kingdom of Ireland.

SCHEDULE (B.)

BOROUGH.	STYLE OF CORPORATE BODY.
ARDEE - -	The Portreeve, Burgesses and Commons of the Corporation of Atherdee.
ARMAGH - -	-- The Sovereign, Free Burgesses and Commonalty of the Borough of Armagh.
ATHLONE - -	The Sovereign, Bailiffs, Burgesses and Freemen of the Town of Athlone.
ATHY - - -	-- The Sovereign, Bailiffs, Free Burgesses and Commonalty of the Borough of Athy.
BANDON - -	-- The Provost, Free Burgesses and Commonalty of the Borough of Bandon Bridge.
BOYLE - - -	-- The Borough Master, Free Burgesses and Commonalty of the Borough of Boyle.
CALLAN - -	-- The Sovereign, Burgesses and Freemen of Calian.
CARLOW - -	-- The Sovereign, Free Burgesses and Commonalty of the Borough of Catherlagh.
CARRICKFERGUS -	-- The Mayor, Sheriffs, Burgesses and Commonalty of the Town of Carrickfergus.
CASHEL - - -	-- The Mayor, Aldermen, Bailiffs, Citizens and Commons of the City of Cashel.
CHARLEVILLE -	The Sovereign, Bailiffs and Burgesses of the Borough of Charleville.
CLOGHNAKILTY -	-- The Sovereign, Free Burgesses and Commonalty of the Borough of Cloghnakilty.
COLERAINE - -	The Mayor, Aldermen and Burgesses of the Town of Coleraine.
DINGLE - - -	-- The Sovereign, Burgesses and Commonalty of the Town of Dingle-i-couch.
DUNDALK - -	The Bailiff, Burgesses and Commonalty of the Borough of Dundalk.
DUNGANNON - -	-- The Provost, Free Burgesses and Commons of the Borough of Dungannon.
ENNIS - - -	The Provost, Free Burgesses and Commonalty of the Town of Ennis.
ENNISCORTHY -	-- The Portreeve, Free Burgesses and Commonalty of the Borough of Enniscorthy.
ENNISKILLEN -	-- The Portreeve, Free Burgesses and Commonalty of the Borough of Enniskillen.
FETHARD - - -	-- The Sovereign, Chief Burgesses, Portreeve and Freemen of the Town of Fethard.
GOREY - - -	-- The Sovereign, Burgesses and Free Commons of the Borough and Town of Newborough.
KELLS - - -	-- The Sovereign, Provosts, Burgesses and Commonalty of the Borough of Kells.
KINSALE - -	The Sovereign, Burgesses and Commonalty of the Town of Kinsale.
LONGFORD - -	The Sovereign, Bailiffs and Burgesses of the Borough of Longford.
MARYBOROUGH -	The Burgomaster, Bailiffs, Burgesses and Commonalty of Maryborough.
MONAGHAN - -	-- The Provost, Free Burgesses and Commonalty of the Borough of Monaghan.
NAAS - - -	The Sovereign, Provost, Burgesses and Commonalty of Naas.
NAVAN - - -	-- The Portreeve, Burgesses and Freemen of the Town or Borough of Navan.
NEW ROSS - -	The Sovereign and Burgesses of New Ross.
PORTARLINGTON -	-- The Sovereign, Bailiffs and Burgesses of the Borough and Town of Portarlinton.
STRABANE - -	The Provost, Free Burgesses and Commonalty of the Town of Strabane.
TRALEE - - -	The Provost, Free Burgesses and Commonalty of the Borough of Tralee.
TRIM - - -	The Portreeve, Burgesses and Freemen of Trim.
TUAM - - -	-- The Sovereign, Free Burgesses and Commonalty of the Borough of Tuam.
WEXFORD - - -	-- The Mayor, Bailiffs, Free Burgesses and Commonalty of the Town or Borough of Wexford.
WICKLOW - - -	-- The Portreeve, Free Burgesses and Commonalty of the Town of Wicklow.
YOUGHAL - - -	-- The Mayor, Bailiffs, Burgesses and Commonalty of the Town of Youghal.

SCHEDULE (C.)

1.—BELFAST.

GENERAL BOUNDARY.

FROM the Point at which the River Blackstaff meets the Watercourse which flows along the Street called Donegal Pass, along the said Watercourse, to the Point at which Donegal Pass crosses the Aqueduct which supplies the Town; thence, Southward, along the Aqueduct to the Point at which the same joins the Stream by which it is fed; thence, Westward, along the said Stream to the Point at which the same meets Blackstaff Lane; thence along the South Side of Blackstaff Lane to the centre of the Brick Building of the Reservoir or Fountain; thence in a straight Line to a circular Building at a Spring Head or Well called Tea Lane Fountain; thence in a straight Line to another circular bricked Fountain or Well in the Grounds near the Flax Mill belonging to Messrs. Murphy and Company; thence in a straight Line to the South-eastern Angle of the Boundary of the Townland of Edenderry; thence, Northward, along the said Townland Boundary to the Point at which the same meets a Stream; thence, Westward, along the said Stream to the Point at which the same meets the Western Wall of Mr. Francis M'Cracken's Rope-walk; thence, Northward, along the Wall of the said Rope-walk to the Point at which the same meets the Shank Hill Road; thence in a straight Line to the Southernmost Point at which the Boundary of the new Burying Ground meets the Antrim Road; thence, Northward, along the Antrim Road to the Point at which the same meets the Road leading from the Antrim Road to the old Road from Belfast to Carrickfergus; thence along the said Road leading to the old Road to Carrickfergus to the Point at which the same meets the old Road from Belfast to Carrickfergus; thence, Northward, along the old Road from Belfast to Carrickfergus to the Point at which the same meets the Mill Water; thence, Eastward, along the Mill Water to the Point at which the same meets the Shore of Belfast Lough; thence in a straight line across Belfast Lough to the North Eastern Point of the Boundary of the Townland of Ballymacarrett; thence, Southward, along the Boundary of the Townland of Ballymacarrett to the Southernmost Point at which the same meets the River Lagan; thence, Southward, along the River Lagan to the Point at which the same meets the River Blackstaff; thence along the River Blackstaff to the Point first described.

BELFAST.

To be divided into Five Wards according to the following Boundaries; and in every such Ward there shall be Two Aldermen and Six Councillors.

No. 1.—DOCK WARD.

FROM the South-eastern Angle of Donegal Quay, Westward, along Donegal Quay, to the Point at which the same meets Waring Street; thence along Waring Street to the Point at which the same meets Mary Street; thence, Northward, along Mary Street to the Point at which the same meets Gordon Street; thence, Westward, along Gordon Street, to the Point at which the same meets Grattan Street; thence along Grattan Street to the Point at which the same meets Green Street; thence along Green Street to the Point at which the same meets Academy Street; thence, Northward, along Academy Street to the Point at which the same meets Great Patrick Street; thence, Westward, along Great Patrick Street to the Point at which the same meets Frederick Street; thence along Frederick Street to the Point at which the same meets North Queen Street; thence, Southward, along North Queen Street to the Southern Angle of the Boundary Wall of the Belfast Poor House; thence, Westward, along the new Antrim Road to the Point at which the same meets the Boundary of the Borough; thence, Northward, and along the Boundary of the Borough to a Point in the Channel, three hundred feet from the West Shore of Belfast Lough; thence in a straight Line to the Point first described.

No. 2.—

No. 2.—ST. ANNE'S WARD.

From the Point at which Waring Street meets Mary Street, Northward, along Mary Street, to the Point at which the same meets Gordon Street; thence, Westward, along Gordon Street to the Point at which the same meets Grattan Street; thence along Grattan Street to the Point at which the same meets Academy Street; thence, Northward, along Academy Street to the Point at which the same meets Great Patrick Street; thence, Westward, along Great Patrick Street to the Point at which the same meets Frederick Street; thence along Frederick Street to the Point at which the same meets North Queen Street; thence, Southward, along North Queen Street, to the Southern Angle of the Boundary Wall of the Belfast Poor House; thence, Westward, along the new Antrim Road to the Point at which the same meets the Boundary of the Borough; thence, Westward, along the Boundary of the Borough to the Point at which the same meets the Old Lodge Road; thence, Eastward, along the Old Lodge Road to the Point at which the same meets North Street; thence, Eastward, along North Street to the Point at which the same meets Waring Street; thence along Waring Street to the Point first described.

No. 3.—SMITHFIELD WARD.

From the Point at which North Street meets Rosemary Street, along Rosemary Street, to the Point at which the same meets Hercules Place; thence, Southward, along Hercules Place, passing in Front of the Northern Bank, to the Northern End of Donegal Place; thence along Donegal Place to the Point at which the same meets Donegal Square North; thence, Westward, along Donegal Square North to the Point at which the same meets Wellington Place; thence along Wellington Place to the Point at which the same meets College Square East; thence, Northward, along College Square East to the Point at which the same meets College Square North; thence, Westward, along College Square North to the Point at which the same meets Durham Street; thence, Northward, along Durham Street to the Point at which the same meets Pound Street; thence along Pound Street to the Point at which the same meets the Boundary of the Borough; thence, Northward, along the Boundary of the Borough to the Point at which the same meets the Old Lodge Road; thence, Eastward, along the Old Lodge Road to the Point at which the same meets North Street; thence, Eastward, along North Street to the Point first described.

BELFAST—
continued.

No. 4.—ST. GEORGE'S WARD.

From the South-eastern Angle of Donegal Quay, Westward, along Merchants' Quay, to the Point at which the same meets Waring Street; thence along Waring Street to the Point at which the same meets Rosemary Street; thence along Rosemary Street to the Point at which the same meets Hercules Place; thence, Southward, along Hercules Place, and passing in Front of the Northern Bank, to the Northern End of Donegal Place; thence along Donegal Place to the Point at which the same meets Donegal Square North; thence, Eastward, along Donegal Square North to the Point at which the same meets Chichester Street; thence along Chichester Street to the Point at which the same meets the River Lagan; thence, Southward, along the River Lagan to the new Bridge over the River Lagan; thence, Eastward, along the new Road from Belfast to Bangor to the Point at which the same meets the old Road from Belfast to Bangor; thence, Eastward, along the Bangor Road to the Point at which the same crosses the Boundary of the Borough; thence, Northward, along the Boundary of the Borough to the Point in the Channel, Three hundred feet from the West Shore of Belfast Lough; thence in a straight Line to the Point first described.

No. 5.—CROMAC WARD.

From the Point at which the Boundary of the Borough crosses Pound Street, Southward, along Pound Street, to the Point at which the same meets Durham Street; thence along Durham Street to the Point at which the same meets College Square North; thence along College Square North to the Point at which the same meets College Square East; thence along College Square East to the Point at which the same meets Wellington Place; thence along Wellington Place to the Point

BELFAST—
continued.

Point at which the same meets Donegal Square North; thence along Donegal Square North to the Point at which the same meets Chichester Street; thence along Chichester Street to the Point at which the same meets the River Lagan; thence, Southward, along the River Lagan to the new Bridge over the River Lagan; thence, Eastward, along the new Road from Belfast to Bangor to the Point at which the same meets the old Road from Belfast to Bangor; thence, Eastward, along the Bangor Road to the Point at which the same crosses the Boundary of the Borough; thence, Southward, along the Boundary of the Borough to the Point first described.

2.—CLONMEL.

GENERAL BOUNDARY,

Being the **PARLIAMENTARY BOUNDARY.**

FROM the Point at which the Western Inclosure Wall of the House of Industry meets the River Suir, along the said Western Wall to the Point at which the same meets Marl Street; thence along St. Stephen's Lane to the Point at which the same meets the old Cahir Road; thence, Eastward, along the old Cahir Road to the Point at which the same is met by a Lane running Northward; thence, Northward, along the said Lane to the Point at which the same is met by the first Bank on the Right; thence, Eastward, along the said Bank to the Point at which the same is met by a Lane coming from the North and turning to the East; thence, Eastward, along the last-mentioned Lane to the Point at which the same meets Heywood Street; thence along a Bank which runs Eastward from a House a little to the South of the Point last described to the Point at which the said Bank meets a small Bye Lane leading to the Cashel Road; thence, Southward, along the said Cashel Road to the Point at which the same is met by the Southern Boundary Wall of the Park or Pleasure Grounds of Mr. David Malcolmson; thence along the said Boundary Wall to the Point where the said Wall meets Upper Johnson Street; thence, Eastward, along Backbone Lane to the Extremity thereof; thence to a Point in the new Road to Fethard, which Point is Sixty-four Yards to the North of the Spot at which the said Road is crossed by Bonlie Lane; thence, Southward, for Sixty-four Yards to the said Spot where the Fethard Road is crossed by Bonlie Lane; thence, Eastward, along Bonlie Lane for about Six hundred and Forty-four Yards to a Point at which the same is met by a Bank on the right opposite a small House; thence, Southward, along the said Bank for the distance of about Two hundred and nine Yards to the Point where it is met by another Bank running Eastward; thence, Eastward, along the last-mentioned Bank for about Fifty Yards to a Point where the same makes an Angle in turning to the South; thence, Southward, for about Fifty Yards along a Bank which leads to a Bye Road to Powerstown until the said Bank reaches the said Bye Road; thence, Eastward, along the said Bye Road for the Distance of about Two hundred and seventeen Yards to the Spot where it is met by the first Bank on the right; thence in a straight Line to the most Northern Point of a Bank on the Southern Side of the Dublin Road, which Point is distant about Four hundred and Sixty-four Yards from a Stone in Barrack Street which marks the South-eastern Corner of the Ordnance Land; thence along the last-mentioned Bank to the Point at which the same meets the River Suir; thence along the Southernmost Channel of the River Suir as far as Moore's Island; thence along the Channel of the same to the North of Moore's Island to the Point first described.

CLONMEL.

To be divided into Two Wards, according to the following Boundaries; and in every such Ward there shall be Three Aldermen and Nine Councillors.

No. 1.—EAST WARD.

ALL that portion of the Borough situated East of the following Line; viz.—From the Point where the Fethard Road intersects the Municipal Boundary, Southward along Upper Johnson Street to the Point of meeting Main Street; thence, Westward, along Main Street to the Point of meeting Bridge Street, along the Flour Mills, and over the Goat's Bridge, to the Point where that Road intersects the Municipal Boundary.

No. 2.—

No. 2.—WEST WARD.

CLONMEL—
continued.

ALL that Portion of the Borough situated Westward of the Line described in East Ward.

3.—CORK.

GENERAL BOUNDARY.

CORK.

FROM the Point where Silver Stream Lane meets the Dublin Road, Northward, along the said Lane to the Upper Glanmire Road; thence in a straight Line and North Direction to the Spring and Stream that flows into the Glen River; thence follow the Stream to the River; thence, West, along the River Glen to the Eastern Wall of Callaghan's Distillery; thence, Northward, along the said Wall to Spring Lane; thence, East, along Spring Lane to Ballyvo Road; thence in a straight Line and Westerly Direction to the Junction of the Mallow and old Dublin Roads; thence in a straight Line and Westerly Direction to the Junction of Fairfield Lane and Brocklesbury Street; thence in a straight Line and Southerly Direction to the West End of Water Lane; thence to a Point in Fair Lane, Five hundred Yards to the North of the Junction of the said Lane with Corbett's Lane; thence to a Point on the Granagher Road Four hundred Yards from its Junction with Blarney Road; thence in a straight Line to a Junction of the Lane (near Skilla Lane) leading to the City Gaol with the Blarney Road; thence along the Lane leading to the City Gaol to the South-west Corner of the surrounding Wall of the said Gaol; thence in a straight Line to a Point on the Sunday Well Road Three hundred Yards to the East of Wellington Bridge; thence in a straight Line to a Point on the Mardyke Walk Seven hundred Yards to the East of the Lane leading from Wellington Bridge to the said Mardyke Walk; thence in a straight Line to the Road leading to the County Gaol; thence along the said Road to the North-east Corner of the surrounding Wall of the said County Gaol; thence along the said North-east Wall to the Northern Macroom and Bandon Road; thence in a straight Line to a Point on the Bandon Road One hundred and twenty Yards West of the Junction of the said Road with the Southern Macroom and Bandon Road; thence in a straight Line to a Point on the Kinsale Road Three hundred and seventy Yards from the Junction of Lough Lane with the Bandon Road, and measured along the Middle of Lough Lane and the Kinsale Road; thence in a straight Line to the Junction of Poula Duff Road with Gallows Green; thence in a straight Line and South-east Direction to the Point where the New Burying Ground Lane meets Friars Walk; thence along the New Burying Ground Lane to the Curragh Road; thence in a North-east Direction along the Curragh Road to Evergreen Road; thence in a straight Line and North-east Direction to a Point on the Passage Road where a Lane leads from the said Road to the Junction of the Black Rock Road with Boreen Managh Lane; thence along the said Lane to the Point of Junction of the said Black Rock Road and Boreen Managh Lane; thence, East, along the said Black Rock Road to Lucy Ville Lane; thence in a straight Line to the nearest Point of the surrounding Wall of the City Gas Works; thence along the Eastern Wall of the said Gas Works to the nearest Point of the River; thence, Eastward, along the High-water Mark to the Point nearest the Old Castle; thence across the River to the first-named Point.

To be divided into Eight Wards, according to the following Boundaries; and in every such Ward there shall be Two Aldermen and Six Councillors.

No. 1.—

No. 1.—LEE WARD.

FROM the Point where Fair Lane meets the Borough Boundary proceed, Southward, along Fair Lane, Baily's Lane, Rogerson Lane, Bishop's Lane, Manning's Lane to Dominick Street; Eastward, along Dominick Street to Widderly Lane, along Widderly Lane to the River Lee; Westward, along the River Lee to the Borough Boundary; Northward, along the Borough Boundary to the Point first described.

No. 2.—ST. PATRICK'S WARD.

FROM the point where Fair Lane meets the Borough Boundary proceed, Southward, along Fair Lane, Baily's Lane, Rogerson Lane, Bishop's Lane, Manning's Lane, to Dominick Street; Eastward, along Dominick Street to Widderly Lane, along Widderly Lane to the River Lee, thence along the River Lee to St. Patrick's Bridge; Northward, up Bridge Street, St. Patrick's Hill, Audley Place; Eastward, along the old Road to Youghal to the Point at which it is intersected by the new Road to Ballyhooly; thence along the new Road to Ballyhooly to the Boundary of the Borough; Westward, along the Boundary of the Borough to the first-named Point.

No. 3.—GLANMIRE WARD.

FROM St. Patrick's Bridge, North, up Bridge Street, St. Patrick's Hill, Audley Place; East, along the old Road to Youghal to the Point at which it is intersected by the new Road to Ballyhooly; thence along the new Road to Ballyhooly to the Borough Boundary; East, along the Borough Boundary to the River Lee; thence, West, along the River Lee to the Point first described.

No. 4.—CORN MARKET WARD.

FROM Parliament Bridge, East, along the South Channel of the River Lee to the Borough Boundary; thence, South, along the Borough Boundary to Friar's Walk; North, along Friar's Walk to Cat Lane; West, along Cat Lane, Bluecoat Street, Abbey Street, Travers Street, Drunam Street; East, along Sullivan's Quay to the Point first described.

No. 5.—ST. FIN BARR'S WARD.

FROM the Point where Friar's Walk meets the Borough Boundary, North, along Friar's Walk to Cat Lane; West, along Cat Lane to Bluecoat Street, along Bluecoat Street, across Abbey Street, along Travers Street, Drunam Street, Sullivan's Quay, to Parliament Bridge; West, along the Southern Branch of the River Lee to South Bridge; Northward, up South Main Street to Great George Street; East, along Great George Street to Wandersford Street, along Wandersford Street to Clarke's Bridge; West, along the South Branch of the River Lee to the Borough Boundary; South, along the Borough Boundary to the Point first described.

No. 6.—MANSION HOUSE WARD.

FROM North Bridge proceed, South, along North Main Street to Great George Street, to Wandersford Street, along Wandersford Street to Clarke's Bridge; thence, West, along the South Branch of the River Lee to the Borough Boundary; North, along the Borough Boundary to the North Branch of the River Lee; East, along the North Branch of the River Lee to the Point first described.

No. 7.—EXCHANGE WARD.

FROM North Bridge proceed, South, along North Main Street, along South Main Street, to South Bridge; East, along the South Channel of the River Lee to the Point opposite Queen Street, thence to Queen Street, along Queen Street to South Mall; West, along South Mall to Marlboro' Street, along Marlboro' Street, across St. Patrick's Street, to Academy Street, along Academy Street, Halfmoon Street, to the North Channel; West, along the North Channel to the Point first described.

No. 8.—

CORK—
continued.

No. 8.—CUSTOM HOUSE WARD.

CORK continued. FROM the Point on the South Channel of the River Lee opposite Queen Street, proceed direct to Queen Street; North, along Queen Street to South Mall; West, along South Mall to Marlboro' Street, along Marlboro' Street, across St. Patrick's Street, to Academy Street, along Academy Street, Halfmoon Street, to the North Channel; East, along the North Channel and round the Island; and West, along the South Channel to the Point first described.

4.—DROGHEDA.

GENERAL BOUNDARY.

FROM the Point called Liberty Bridge near Greenhills on the Left Bank of the River Boyne, East of the Town, where a small Stream enters the River in an Easterly direction, up Cord Lane to the South-east Corner of the Burial Ground; thence, Northerly, along the East Boundary Wall of the Burial Ground up the Lane to Scarlet Lane; thence to the North-west Corner of the Gaol Wall; thence in a straight Line to the North-east Corner of Harman's Garden Wall; thence, Southerly, round the Garden Wall to the South-west Corner; thence in a straight Line to the Cross Roads at the Top of Windmill Lane; thence to the North Road to the Point where the Parliamentary Boundary crosses it; thence in a straight Line, along the Parliamentary Boundary, to the South-west Corner of Laburnum Nursery, being about Three hundred Yards; thence in a straight Line to the Junction of Mill Lane and Collon Road; thence in a straight Line to Low-water Mark, left Bank of the River; thence, diagonally across the River, down Stream to a Sluice where a small Stream enters the River and the Parliamentary Boundary crosses; thence to the South End of Mr. Ball's House, Ball's Grove; thence to the Junction of a Lane coming from the South with the Road to Navan and the Black Lion near a Stone Quarry, and about Two hundred and fifty Yards South of the River; thence in a straight Line to Levan's Bridge; thence, keeping the Course of the Brook, Westerly, to Cooley Bridge; thence in a straight Line to the South-east Angle of the Boundary Wall of St. Mary's Churchyard, being Part of the old Town Walls; thence in a straight Line to the Dublin Road at the Point of Junction with a Lane running North from Cromwell's Mount; thence in a straight Line to the East End of Mr. Wen's new House on the Road to Morningtown; and thence across the River to the Point first described.

DROGHEDA.

To be divided into Three Wards, according to the following Boundaries; and in every such Ward there shall be Two Aldermen and Six Councillors.

No. 1.—WEST GATE WARD.

COMMENCING at the Borough Boundary on the North Road, and thence in a South-easterly Direction down the Centre of the North Road to its Intersection with Fair Street; thence, Easterly, down Fair Street to its Intersection with Scholes Lane; thence, Southerly, down Scholes Lane to its Intersection with West Street; thence, Easterly, down West Street to its Intersection with Shop Street; thence, Southerly, down Shop Street, over the Bridge, up the Bull Ring, to its Intersection with Barrack Lane; thence, South-westerly, up Barrack Lane, past the Barracks, to its Intersection with Duleek Street; thence up Duleek Street to the Borough Boundary at Cooley Bridge; thence, Westerly, round the Borough Boundary, across the River, along the Boundary, to the Point first named. The whole of the Area within this Line to form West Gate Ward.

No. 2.—FAIR GATE WARD.

COMMENCING at the Borough Boundary on the North Road as before, and coming in a South-easterly Direction down the Centre of the North Road to its Intersection with Fair Street; thence, Easterly, down

down Fair Street to its Intersection with Scholes Lane; thence, Southerly, down Scholes Lane to its Intersection with West Street; thence, Easterly, down West Street to its Intersection with Peter Street; thence, Northerly, up Peter Street to where it meets the Ends of William Street and Fair Street; thence, Easterly, down William Street to its Intersection with Palace Street; thence, Northerly, up Palace Street to its Intersection with Scarlet Lane; thence, Easterly, down Scarlet Lane to the Borough Boundary; thence, Westerly, round the Borough Boundary to the Point first named on the North Road. The whole of the Area within this Line to form Fair Gate Ward.

DROGHEDA---
continued.

No. 3.—ST. LAWRENCE GATE WARD.

COMMENCING at the West End of St. Lawrence Street, where that Street, Peter Street, West Street, and Shop Street all meet; thence, Northerly, up Peter Street till it meets the Ends of Fair Street and William Street; thence, Easterly, down William Street to its Intersection with Palace Street; thence, Northerly, up Palace Street to its Intersection with Scarlet Lane; thence, Easterly, down Scarlet Lane to the Borough Boundary; thence, Southerly, along the Borough Boundary, crossing the River, and continuing along the Boundary, to Cooley Bridge; thence, Northerly, down Duleek Street, along the Eastern Boundary of West Gate Ward, to the Intersection of Shop Street, Lawrence Street and Peter Street, being the Point first named. The whole of the Area within this Line to form St. Lawrence Gate Ward.

5.—DUBLIN.

GENERAL BOUNDARY.

FROM the Point of Intersection of Park Gate Street with a Road running Northerly along the Phoenix Park Wall, along the said Phoenix Park Wall until it meets the Circular Road, and Easterly, along the Circular Road to the West End of the Roman Catholic Chapel of Saint Peter; thence, Northerly, in a straight Line to the West End of Mr. Hay's Mill about Three hundred and Sixty Yards to the Westward of Westmoreland Bridge across the Royal Canal; thence in a direct Line across the Royal Canal to its Northern Bank; thence, South-east, along the Northern Bank of the Royal Canal to Jones's Bridge; thence, Northward, along the Road forming the Continuation of Russell Street and Jones's Bridge to its Junction with the Clonliffe Road; thence, South-eastward, along said Clonliffe Road and Ballybough Bridge to the Centre of said Ballybough Bridge; thence, Easterly, along the Centre of the River Tolka to the Centre of Annesley Bridge; thence, South-east, in the Direction of a Point distant perpendicularly Northward Three hundred Yards from the South-east Corner of the Wall extending from Annesley Bridge to the East Wall, to the Point where such Line is intersected by the Prolongation of a Line drawn between Two Points, the one distant Three hundred Yards perpendicularly Eastward from the North-east Corner of the East Wall, the other distant perpendicularly Three hundred Yards Eastward from the South-east Corner of Mr. Halpin's Patent Slip in the Ballast Office Yard; thence, Southward, along the last-mentioned Line and in Continuation thereof until that Line reaches the Mid Channel of the River Liffey; thence, Westward, along the Mid Channel of the River Liffey until the Line thus drawn is intersected by a Line drawn from the Centre of Ringsend Bridge to a Point on the North Wall Two hundred and Forty Yards (measured along the said Wall) from its Eastern Termination; thence, Southerly, along the last-mentioned Line to the Centre of Ringsend Bridge; thence, Westward, along the Road to Dublin (being a Continuation of Great Brunswick Street) until it intersects Barrow Street; thence,

DUBLIN

thence, Southward, along Barrow Street to its Point of Intersection with Grand Canal Street; thence, Westward, along Grand Canal Street to Macquay Bridge; thence, in a Westerly direction, along the Southern Bank of the Grand Canal to its Point of Intersection with the Branch leading to the City Basin near Griffith Bridge; thence, Northward, in a straight Line to the Turnpike Gate, No. 3, at the South-west Angle of the Circular Road; thence, Northward, along the said Road, through Island Bridge, and over Sarah Bridge across the Liffey, to its Point of Intersection with Conyngham Road; thence, Eastward, along Conyngham Road and Park Gate Street to the Point first described.

To be divided into Fifteen Wards, according to the following Boundaries, and in every such Ward there shall be One Alderman and Three Councillors.

No. 1.—COLLEGE WARD.

From the Centre of Carlisle Bridge, Southward, along Carlisle Bridge, Westmoreland Street, the East Side of College Green and Grafton Street, to the Point of Intersection of said Grafton Street with Nassau Street; thence, South-east, along Nassau Street and Leinster Street to the Point of Intersection of said Leinster Street with Park Street; thence, Eastward, along Park Street and Harcourt Place, to the Point of Intersection of said Harcourt Place with Cumberland Street; thence, Northward, along Cumberland Street to its Point of Intersection with Great Brunswick Street; thence, East, along Great Brunswick Street, the Dublin Road and Ringsend Bridge, to the Borough Boundary; thence, Northward, along the Borough Boundary to the Middle Channel of the River Liffey; thence, West, through the Middle Channel of the River Liffey to the Point first described.

No. 2.—MERRION WARD.

From the Point of Intersection of Nassau Street with Dawson Street South, along Dawson Street to the Point of Intersection of said Dawson Street with Saint Stephen's Green North; thence, South-east, along Saint Stephen's Green North and Merrion Row to the Point of Intersection of said Merrion Row with Upper Merrion Street; thence, Northward, along Upper Merrion Street to its Point of Intersection with Merrion Square South; thence, South-east, along Merrion Square South, Upper Mount Street and Huband Bridge, to the East End of said Huband Bridge; thence, North-east, along the Eastern Bank of the Grand Canal to Macquay Bridge; thence, South-east, along Grand Canal Street to its Point of Intersection with Barrow Street; thence, Northward, along Barrow Street to its Point of Intersection with Great Brunswick Street; thence, Westward, along Great Brunswick Street to its Point of Intersection with Cumberland Street; thence, Southward, along Cumberland Street to its Point of Intersection with Harcourt Place; thence, Westward, along Harcourt Place and Park Street to the Point of Intersection of said Park Street with Leicester Street; thence, North-west, along Leicester Street and Nassau Street to the Point first described.

No. 3.—ST. STEPHEN'S WARD.

From the Point of Intersection of Mercer Street with King Street South, Southward, along Mercer Street and French Street to the Point of Intersection of said French Street with Cuff Street; thence, Eastward, along Cuff Street to its Point of Intersection with Harcourt Street; thence, Southward, along Harcourt Street to its Point of Intersection with the Circular Road; thence, South-east, along the Circular Road and Eustace Bridge to the South End of said Eustace Bridge; thence, North-east, along the Southern Bank of the Grand Canal to the East End of Huband Bridge; thence, North-west, along Huband Bridge, Upper Mount Street, and Merrion Square South, to the Point of Intersection of said Merrion Square South with Upper Merrion Street; thence, South-west, along Upper Merrion Street to its Point of Intersection with Merrion Row; thence, North-west, along Merrion Row, Stephen's Green North, and King Street South, to the Point first described.

No. 4.—

DUBLIN—
continued.

No. 4.—ST. ANDREW'S WARD.

From the Centre of Carlisle Bridge, Southward, along Carlisle Bridge, Westmoreland Street, the East Side of College Green, and Grafton Street, to the Point of Intersection of said Grafton Street with Nassau Street; thence, Eastward, along Nassau Street to its Point of Intersection with Dawson Street; thence, Southward, along Dawson Street to its point of Intersection with Stephen's Green North; thence, North-west, along Stephen's Green North and King Street South to the Point of Intersection of said King Street South with Johnston's Place; thence, North-west, along Johnston's Place and Lower Stephen Street to the Point of Intersection of said Lower Stephen Street with Drury Lane; thence, Northward, along Drury Lane to its Point of Intersection with Fade Street; thence, Westward, along Fade Street to its Point of Intersection with Great George's Street South; thence, Northward, along Great George's Street South to its Point of Intersection with Dame Street; thence, Westward, along Dame Street to its Point of Intersection with Parliament Street; thence, Northward, along Parliament Street and Essex Bridge to the Centre of Essex Bridge; thence, Eastward, through the Middle Channel of the River Liffey to the Point first described.

No. 5.—CASTLE WARD.

From a Point in the Centre of the River Liffey One hundred and Sixty Yards Westward from Essex Bridge, Southward, to the Point of Intersection of Fishamble Street with Essex Quay; thence, Southward, along Fishamble Street, Werburgh Street, and Bride Street, to the Point of Intersection of said Bride Street with Bishop Street; thence, Eastward, along Bishop Street to its Point of Intersection with Redmond Hill; thence, Southward, along Redmond Hill to its Point of Intersection with Cuff Street; thence, Eastward, along Cuff Street to its Point of Intersection with French Street; thence, Northward, along French Street and Mercer Street to the Point of Intersection of said Mercer Street with King Street South; thence, North-west, along Johnston's Place and Lower Stephen Street to its Point of Intersection with Drury Lane; thence, Northward, along Drury Lane to its Point of Intersection with Fade Street; thence, Westward, along Fade Street to its Point of Intersection with Great George's Street South; thence, North, along Great George's Street South to its Point of Intersection with Dame Street; thence, Westward, along Dame Street to its Point of Intersection with Parliament Street; thence, Northward, along Parliament Street and Essex Bridge to the Centre of Essex Bridge; thence, Westward, through the Middle Channel of the River Liffey to the Point first described.

DUBLIN—

continued.

No. 6.—ST. PATRICK'S WARD.

From a Point in the Centre of the River Liffey One hundred and Sixty Yards Westward from Essex Bridge, South, to the Point of Intersection of Fishamble Street with Essex Quay; thence, Southward, along Fishamble Street, Werburgh Street, and Bride Street, to the Point of Intersection of said Bride Street with Bishop Street; thence, Eastward, along Bishop Street to its Point of Intersection with Redmond Hill; thence Southward, along Redmond Hill to its Point of Intersection with Cuff Street; thence, Eastward, along Cuff Street to its Point of Intersection with Harcourt Street; thence, Southward, along Harcourt Street to its Point of Intersection with the Circular Road; thence, South-east, along the Circular Road and Eustace Bridge to the South End of said Eustace Bridge; thence, Westward, along the Southern Bank of the Grand Canal to Clanbrassil Bridge; thence, Northward, along Clanbrassil Bridge, Clanbrassil Street, New Street, Patrick Street, and Nicholas Street, to the Point of Intersection of said Nicholas Street with Back Lane; thence, North-west, along Back Lane to its Point of Intersection with

with High Street; thence, Eastward, along High Street to its Point of Intersection with School-house Lane; thence, Northward, along School-house Lane and Skipper's Alley to the Point of Intersection of said Skipper's Alley with Merchant's Quay; thence, Northward, in a straight Line, to a Point in the Centre of the River Liffey Ninety Yards West of Richmond Bridge; thence, Eastward, through the Middle Channel of the River Liffey to the Point first described.

NO. 7.—ST. AUDEON'S WARD.

From a Point in the Centre of the River Liffey One hundred and Fifty-five Yards Westward from Whitworth Bridge, Southward to the Point of Intersection of Meeting-house Yard with Usher's Quay; thence, Southward, along Meeting-house Yard and New Row to the Point of Intersection of said New Row with Thomas Street; thence, Westward, along Thomas Street to its Point of Intersection with Meath Row; thence, Southward, along Meath Row, Meath Street, Brabazon Street, and Brabazon Row, to the Point of Intersection of said Brabazon Row with New Market; thence, Westward, along New Market and Chamber Street to the Point of Intersection of said Chamber Street with Weaver's Square; thence, Southward, along Weaver's Square to its Point of Intersection with Brown Street; thence, Westward, along Brown Street to its Point of Intersection with Love Lane; thence, Southward, along Love Lane and Parnell Bridge to the South End of said Parnell Bridge; thence, Eastward, along the Southern Bank of the Grand Canal to Clanbrassil Bridge; thence, Northward, along Clanbrassil Bridge, Clanbrassil Street, New Street, Patrick Street, and Nicholas Street, to the Point of Intersection of said Nicholas Street with Back Lane; thence, North-west, along Back Lane to its Point of Intersection with High Street; thence, Eastward, along High Street to its Point of Intersection with School-house Lane; thence, Northward, along School-house Lane and Skipper's Alley to the Point of Intersection of said Skipper's Alley with Merchant's Quay; thence, Northward, in a straight Line, to a Point in the Centre of the River Liffey Ninety Yards Westward from Richmond Bridge; thence, Westward, through the Middle Channel of the River Liffey to the Point first described.

NO. 8.—ST. CATHERINE'S WARD.

From the Point in the Centre of the River Liffey One hundred and Fifty-five Yards Westward from Whitworth Bridge, Southward, to the Point of Intersection of Meeting-house Yard with Usher's Quay; thence, Southward, along Meeting-house Yard and New Row to the Point of Intersection of said New Row with Thomas Street; thence, Westward, along Thomas Street to its Point of Intersection with Meath Row; thence, Southward, along Meath Row, Meath Street, Brabazon Street, and Brabazon Row, to the Point of Intersection of said Brabazon Row with New Market; thence, Westward, along New Market and Chamber Street to the Point of Intersection of said Chamber Street with Weaver's Square; thence, Southward, along Weaver's Square to its Point of Intersection with Brown Street; thence, Westward, along Brown Street to its Point of Intersection with Love Lane; thence, Southward, along Love Lane and Parnell Bridge to the South End of Parnell Bridge; thence, North-west, along the Southern Bank of the Grand Canal to its Point of Intersection with the Branch leading to the City Basin near Griffith Bridge; thence, East, along the Middle Channel of said Branch of the Grand Canal to a Point opposite Forbes Lane; thence, Eastward, along Forbes Lane to its Point of Intersection with Marrowbone Lane; thence, North-east, along Marrowbone Lane, Thomas Court, Bridgefoot Street, and Queen's Bridge, to the Centre of Queen's Bridge; thence, Eastward, through the Middle Channel of the River Liffey to the Point first described.

No. 9.—ST. JAMES'S WARD.

From the Centre of Sarah Bridge, Southward, along Sarah Bridge, through Island Bridge, and along the Circular Road, to the Turnpike Gate, No. 3, on the South-west Corner of the Circular Road; thence, Southward, in a straight Line to the Point of Intersection of the Grand Canal with the Branch leading to the City Basin near Griffith Bridge; thence, East, along the Middle Channel of said Branch of the Grand Canal to a Point opposite Forbes Lane; thence, East, along Forbes Lane to its Point of Intersection with Marrowbone Lane; thence, North-east, along Marrowbone Lane to its Point of Intersection with Thomas Court; thence, Northward, along Thomas Court, Bridgefoot Street, and Queen's Bridge, to the Centre of Queen's Bridge; thence, Westward, through the Centre of the River Liffey to the Point first described.

No. 10.—ST. PAUL'S WARD.

From the Centre of Sarah Bridge, in a Northerly Direction, along the Borough Boundary to its Intersection with the Bradogue Water to the North-west Angle of the Richmond Penitentiary; thence, Southward, along the West Front of the Richmond Penitentiary to the South-west Angle of the said Penitentiary; thence, Southward, along Grange Gorman Lane and George's Lane to the Point of Intersection of said George's Lane with King Street North; thence, Eastward, along King Street North to its Point of Intersection with Smithfield; thence, Southward, along Smithfield and Arran Street East, across Arran Quay to a Point in the Centre of the River Liffey; thence, Westward, along the Middle of the Channel of the River Liffey to the Point first described.

No. 11.—FOUR COURTS WARD.

From the Point of Intersection of the West Branch of the Royal Canal, leading from the Royal Canal Harbour with the Borough Boundary; Northward, along the Borough Boundary to its Point of Intersection with the Bradogue Water, on the Circular Road; thence, Southward, along the Bradogue Water to North-west Angle of the Richmond Penitentiary; thence, South, along the West Front of the Richmond Penitentiary to the South-west Angle of the said Penitentiary; thence, South, along Grange Gorman Lane and George's Lane to the Point of Intersection of said George's Lane with King Street North; thence, Eastward, along King Street North to its Point of Intersection with Smithfield; thence, Southward, along Smithfield and Arran Street East, across Arran Quay, to a Point in the Centre of the River Liffey; thence, Eastward, along the Middle Channel of the River Liffey to a Point opposite Chancery Place; thence, Northward, along Chancery Place, Mountrath Street, Greek Street, and Beresford Street, to its Point of Intersection with King Street North; thence, Eastward, along King Street North to its Point of Intersection with Coleraine Street; thence, Northward, along Coleraine Street and Constitution Hill, to a Point in the Centre of the Foster Aqueduct; and thence, Northward, along the said Branch of the Royal Canal to the Point first described.

No. 12.—LINEN HALL WARD.

From that Point in the Centre of the River Liffey which is opposite to Swift's Row, Northward, across Ormond Quay, to the Centre of the South End of Swift's Row; thence, Northward, along Swift's Row, and Jervis Street, to its Point of Intersection with Great Britain Street; thence, Eastward, along Great Britain Street, to its Point of Intersection with Granby Row; thence, Northward, along Granby Row, Rutland Square West, and Granby Row, to its Point of Intersection with Upper Dorset Street; thence, North-east, along Upper Dorset Street, to its Point of Intersection with Blessington Street; thence, along Blessington Street, and in a straight line across the

Royal

Royal Canal Reservoir, to a Point in the Centre of the West Branch of the Royal Canal; thence, Southward, along the same to the Centre of Foster Aqueduct; thence, Southward, along Constitution Hill, and Coleraine Street, to its Point of Intersection with North King Street; thence, Westward, along North King Street, to its Point of Intersection with Beresford Street; thence, Southward, along Beresford Street, Greek Street, Mountrath Street, and Chancery Place, across the Quay, to a Point in the Centre of the River Liffey; thence, Eastward, along the Middle Channel of the River Liffey, to the Point first described.

No. 13.—ST. GEORGE'S WARD.

FROM the Point of Intersection of the West Branch of the Royal Canal, leading from the Royal Canal Harbour with the Borough Boundary; South-east, along the Borough Boundary to Ballybough Bridge; thence, South-west, along Spring Garden Parade, Foster Street, Edward Terrace, Clarke Bridge, Summer Hill Parade, Summer Hill, and Great Britain Street, to the Point of Intersection of said Great Britain Street with Granby Row; thence, Northward, along Granby Row, Rutland Square West, and Granby Row, to its Point of Intersection with Upper Dorset Street; thence, North-east, along Upper Dorset Street, to its Point of Intersection with Blessington Street; thence, along Blessington Street, and in a straight line, across the Royal Canal Reservoir to a Point in the Centre of the said West Branch of the Royal Canal; and thence, North-east, along the same to the Point first described.

DUBLIN—
continued.

No. 14.—POST OFFICE WARD

FROM that Point in the Centre of the River Liffey which is opposite Swift's Row, Northward across Ormond Quay, to the Centre of the South-end of Swift's Row; thence, Northward, along Swift's Row and Jervis Street, until it intersects Great Britain Street; thence, Eastward, along Great Britain Street, until it is intersected by Marlborough Street; thence, Southward, along Marlborough Street, across Eden Quay, to the Centre of the River Liffey; thence, Westward, along the Centre of the River to the Point first described.

No. 15.—CUSTOM HOUSE WARD.

FROM that Point in the Centre of the River Liffey which is opposite Marlborough Street; thence, Northward, across Eden Quay, to the Centre of the South End of Marlborough Street; thence, Northward, along Marlborough Street, until it intersects Great Britain Street; thence, Eastward, along Great Britain Street, Summer Hill, and Summer Hill Parade; thence, Northward, until it intersects the Borough Boundary, at Ballybough Bridge; thence, along the said Boundary, until it joins the River Liffey, and in the same direction to the Centre of the said River; thence, Westward, to the Point first described.

6.—GALWAY.

GENERAL BOUNDARY.

FROM the South-eastern Angle of the House called Bellmount (now the Property of William Kelly, Esq.) on the Eastern Side of the Oughtterard Road, Eastward, in a straight Line to the Point on the Southern Shore of Turlough, at which a Lane leaves such Shore and meets the Bohermore Road at about Six hundred and Eighty Yards North-eastward of the Entrance Gate of the County Infirmary; thence along the said Lane to its Point

GALWAY.

Point of Junction with the Bohermore Road; thence, Southward, in a straight Line to the South-eastern Angle of the College on the Northern Side of the College Road; thence, Southward, in a straight Line to the Direction of the Edge of the Steep Cliff which forms the Western Shore of Hare Island, to the Point at which such straight Line meets the Northern Shore of Lough Athalia; thence, South-westward, in a straight Line to the Eastern Point of the new Pier called Slate Pier; thence, Westward, along the Shore of Galway Bay to the Point at which it is intersected by a Line from the Lighthouse in Mutton Island to the Tower of the House called "Fort Eyre," (now in the occupation of the Reverend Edward Eyre Maunsell); thence, North-westward, along such Line to a Point One hundred and five Yards North-westward from the Northern Side Wall of the Road to the Village of Boherard; thence, North-eastward, in a straight Line to the Point first described.

To be divided into Three Wards, according to the following Boundaries; and in every such Ward there shall be Two Aldermen and Six Councillors.

No. 1.—WEST WARD.

FROM the Point at which Lough Corrib cuts the Municipal Boundary, Southward, down the Centre of the Lough to the New Bridge; thence down the Centre of the River Galway to the West Bridge; thence in a right Line to the Head of the Pier forming the Northern Side of the Fishing Boats Harbour; thence along the Bank of the River of Galway to the Head of the Slate Pier; thence, Westward, along the Municipal Boundary to the Point first described.

No. 2.—NORTH WARD.

FROM the Point at which Lough Corrib cuts the Municipal Boundary, Southward, down the Centre of the Lough to the New Bridge; thence down the Centre of the River of Galway to the West Bridge; thence, Eastward, along the West Bridge, Bridge Street, the Main Guard, Shop Street, William Street, the North Side of Eyre or Meyrick Square, and Bohermore Road, to the Municipal Boundary; thence, Northward, along the Municipal Boundary to the Point first described.

No. 3.—SOUTH WARD.

FROM the Point at which the Bohermore Road cuts the Municipal Boundary, Westward, along the Bohermore Road, the North Side of Eyre or Meyrick Square, William Street, Shop Street, the Main Guard and Bridge Street; thence, South-eastward, along the Bank of the River Galway and the Sea Shore to the Municipal Boundary; thence, Northward, along the Municipal Boundary to the Point first described.

GALWAY—
continued.

7.—KILKENNY.

GENERAL BOUNDARY.

FROM the Point South-west of the City, where the Brega River crosses the Road to Clonmel, following the Course of the River Northerly, to the Point where the River makes a sudden turn to the Eastward, and where the Mill Stream, from a ruined Factory West of the River, meets the River Brega; thence in a straight Line to the Point on the Bonnets-town Road, where a Bye-road leading to Lousy Bush leaves the Bonnets-town Road; thence in a straight Line to the Point at the South End of Farmhouse

KILKENNY.

KILKENNY—
continued.

Farmhouse on the Western Road to Freshford, belonging to Mr. Purcell, and occupied by Michael M'Donell; thence in a straight Line across the main Road to Freshford, and across the River Nore to the Point where the Road to Ballyragget, along the River, leaves the old Road to Castlecomer, and just North of the Police Station at Mount Brilliant; thence following the old Road to Castlecomer to the Point where it joins the new Road leading from the Barracks at a new House belonging to Mr. Nowlan; thence in a straight Line to the Point at the North-east Corner of the Barrack Enclosure, and following the Back or Eastern Wall of the Barracks to the South-eastern Corner thereof on the Road to John's Well at the Point; thence in a straight Line across the Clara Road and across Williams' Lane to a remarkable Building on a Hill East of the City, belonging to Mr. Purcell, called the Gazebo; thence in a straight Line across the River Nore to the Point at the South-eastern Corner of Mr. Scott's Garden on the Road to Bennett's Bridge; thence, following the Southern Enclosure of the said Garden and of the adjoining Garden of Switzer's Asylum, to the Point where it meets a Lane leading from the Bennett's Bridge Road to the Waterford Road; thence following the said Lane to the Point where it joins the Waterford Road; thence in a straight Line to the Point at the South-western Corner of the Enclosure of the House of Correction; thence following the Western Side of the Enclosure Wall, to the Point where, if produced, it would meet the Road to Kells; thence, Westerly, along the Road to Kells to the Point where a Quarry on the North Side of the Road joins the said Road, and about One hundred Yards from the Point; thence, turning Northerly, along a Stone Wall about Ninety Yards to the Point where the said Stone Wall meets a Lane called Waters' Lane, leading from Upper Patrick Street towards Mr. Robertson's House called "Rose Hill;" thence along the said Lane, Westerly, to the Point where it crosses the River Brega, South of Rose Hill; thence along the Brega to the Point first described.

To be divided into Two Wards, according to the following Boundaries; and in every such Ward there shall be Three Aldermen and Nine Councillors.

No. 1.—ST. CANICE'S WARD.

ALL that Portion of the Borough situated Westward of the following Line; viz. from the Point where the Road from Waterford intersects the Municipal Boundary, along that Road to the Point where it joins Upper Patrick Street; thence along Upper Patrick Street, Patrick Street, Rose Inn Street, to its Point of meeting with King Street or Back Lane, Coal Market, Watergate, Bull Alley, Vicar's Street, Bishop's Hill, and thence along the main Road to Freshford, to the Point where the Road intersects the Municipal Boundary.

No. 2.—ST. JOHN'S WARD.

ALL that Portion of the Borough situated Eastward of the Line described in St. Canice's Ward.

8.—LIMERICK.

GENERAL BOUNDARY.

LIMERICK.

FROM the Point at the North of King's Island where the Salmon Weir River flows from the Shannon; thence along the Course of the Shannon to the North-east; and thence, Southward, to the Point at which the same is joined by the Head of the Canal; thence, Westward, along the Canal to the Centre of Park Bridge, which crosses the Canal; thence, in a straight Line, to the Centre of the Cupola upon the Top of the Lunatic Asylum; thence, in a straight Line and South-westerly Direction, to the Point

Point in the Roxborough Road where it is met by Wilmont Lane; thence along Wilmont Lane to the West Pier of a Gate belonging to Mr. Maloney on North Side of said Lane, and nearly opposite to Wilmont Villa; thence, in a straight Line and North-westerly Direction, across Mr. Maloney's Field and Two other Fields till it reaches the Extremity of a small Lane; thence, continuing along said Lane, past the Limestone Quarry of William Hargan until it reaches Bohirboy Road; thence, Westerly, along Bohirboy till it reaches Hore's Street; thence, North-westerly, along Hore's Street to the South Circular Road; thence, North-easterly, about Twenty-three Yards along the Circular Road to where Court Brack Avenue leads off North-westerly; thence, North-westerly, along Court Brack Avenue till it reaches Harvey's Quay, situated at the End of the said Avenue; thence in a straight Line across the Shannon to Barrington's Quay upon the Clare Side near the old Ruins of Kiltrush Church; thence, about Two hundred Yards North-easterly along Barrington's Quay, to the North Circular Road; thence, North-westerly, and following the direction of the Circular Road to where it meets the Shelbourne and Farrenshowen Roads; thence along the Farrenshowen Road to where it crosses the new Ennis Mail Road at nearly Half a Mile from Wellesley Bridge; thence continuing about One hundred Yards up the Farrenshowen Road to where there is a Cottage at a Turn in the Road; thence in a straight Line to the Point where the Killaloe Road meets the old North Ennis Road; thence along the Killaloe Road to the Point where it meets the Black Stick Road; thence in a straight Line to the Point first described.

To be divided into Five Wards, according to the following Boundaries; and in every such Ward there shall be Two Aldermen and Six Councillors.

No. 1.—THOMOND BRIDGE WARD.

FROM the Point of Barrington Quay, along the Municipal Boundary, to the Point at which the Head of the Canal joins the Shannon; thence, Westward, along the Canal by Park Bridge, through Ball's Bridge, till it reaches the Shannon; thence, South-westerly, along the Shannon to the Point first described.

No. 2.—JOHN STREET WARD.

FROM the Commencement of the Canal in the Salmon Weir River to the Centre of the Park Bridge which crosses the Canal; thence, in a straight Line to the Centre of the Cupola of the Lunatic Asylum; thence, in a straight Line to the Point where the Wilmont Road meets the Roxborough Road; thence, Northerly, along the Roxborough Road, Upper William Street, High Street, Mungret Street, Broad Street, to the Centre of Ball's Bridge; thence to the Point first described.

No. 3.—PATRICK STREET WARD.

FROM the Shannon by a straight Line along Spraight's Quay and Horan's Quay, and thence through Denmark Street, and the new Street leading from Denmark Street to High Street; thence, Eastward, through High Street, Margaret Street, Mungret Street, Broad Street, to the Centre of Ball's Bridge; thence along the Stream passing under New Bridge to the Shannon, and along its Course, Southward, to the point first described.

No. 4.—WILLIAM STREET WARD.

FROM the Shannon, along the Southern extremity of Patrick Street Ward to High Street; thence, Southward, along the Boundary of John Street Ward, to the point at which Sexton Street joins Upper William Street; thence, Westward, along Sexton Street to the point at which the same joins Wickham Street; thence, along Roche's Street and Shannon Street to the Shannon; thence to the point first described.

No. 5.—

LIMERICK—
continued.

No. 5.—RICHMOND PLACE WARD.

LIMERICK—
continued.

FROM the Shannon, along the Municipal Boundary, to the extreme Southerly Point; thence, Northwards, along the same Boundary to the John Street Ward Boundary; thence along the John Street Ward Boundary to the William Street Ward Boundary; thence along the William Street Ward Boundary to the Shannon, and along its Course, Westwards, to the Municipal Boundary.

9.—LONDONDERRY.

GENERAL BOUNDARY.

LONDON-
DERRY.

FROM a stout Masonry Pillar North Side of Gateway at Black Bush Cottage on West Side of the Road to Fahan, Eastward, by a straight Line to the West End of the Brick Wall forming a Part of the North Boundary of the Premises of the Free Grammar School of Foyle Academy; thence, Easterly, along the above-mentioned Brick Wall to its Eastern Termination at the High Road on the Bank of the River Foyle; thence, Eastward, in a straight Line, in continuation of the Line of the Brick Wall last-mentioned, until the same arrives at the Point being its Intersection of the ordinary Low-water Mark on the East Shore of the River Foyle; thence, Southward, along the Line of the ordinary Low-water Mark, until such Line is terminated by the Prolongation Westward of the Line of the South Boundary Fence of the Pleasure Grounds of the late William Bond, Esquire; thence, Eastward, along the Line of the above-mentioned Boundary Fence of Pleasure Grounds until it arrives at its Point of Intersection with the East Side of the Road to Newtown Limavady; thence, South-easterly, in a straight Line to a stout Masonry Pillar West Side of a Gateway on the South Side of the Dungen Road, about Fifty Yards East of Newtown Limavady Road; thence, Southerly, in a straight Line to a Point on the Clondernot Road where the North Boundary Fence of the Tannery Premises of Mr. William M'Carter terminates; thence, South-westerly, in a straight Line to the Point on the Road to Dunymagh, distant Two hundred and Fifty Feet from its Point of Junction with the old Strabane Road; thence, Westerly, in a straight Line to the Point on the old Strabane Road where a Lane departs Southerly to the Fields; thence, Westerly, along the old Strabane Road to the South-westernmost Gable of the Houses at Gobnascale on the North-west side of said old Strabane Road; thence, Westerly, in a straight Line to a Point in the Townland Boundary between Gobnascale and Tamnymore where said Boundary is met by a Lane from the North-east; thence, North-westerly, in continuation and prolongation of the last-mentioned Townland Boundary, until it meets and intersects the Line of ordinary Low-water Mark on the East Shore of the River Foyle; thence, South-westerly along the Line of the ordinary Low-water Mark, until it is intersected by a Line drawn from the North-east Angle of Foyle Hill Park across the River Foyle to the Cottage about One hundred and Sixty Yards East of the Point of Intersection of the Boundary between the Townland of Gobnascale and Tamnymore and the old Strabane Road; thence, North-westerly, along the intersecting Line just mentioned to the North-east Angle of the Boundary Fence of Foyle Hill Park; thence, North-westerly, along the Boundary Fence of Foyle Hill Park to the Point where it meets Long Moor Lane; thence, North-westerly, along the North Boundary Fence of Foyle Hill Park to a Point Two hundred Feet West of Long Moor Lane; thence, North-easterly, in a straight line to the North End of the Brick Wall forming the Western Boundary Fence of Walker's Nurseries; thence, North-easterly, along the Western Boundary of the Nursery Grounds to a Point on the Road to Newton Cunningham

Cunningham where it forms a sharp Angle; thence, Northerly, in a straight Line to a Point in the Avenue leading to the Deer Park at Two hundred Feet distant Westward from the Entrance Gate in Long Moor Lane; thence, North-easterly, in a straight Line to the South-west End of the Rope Walk on the Creggan Road; thence, North-easterly, in a straight Line to a Point in the Lane leading Westward from the Gate at the Black Bush Cottage at One hundred Feet Distance Westward of said Gate; thence, Eastward, One hundred Feet along last-mentioned Lane to the Point on the Fahan Road already described.

To be divided into Three Wards, according to the following Boundaries; and in every such Ward there shall be Two Aldermen and Six Councillors.

No. 1.—NORTH WARD.

From the Corporation Hall in a straight Line to the Point at which Ship Quay Street meets the Diamond; thence along Ship Quay Street to the Point at which the same meets the Wooden Quay; thence along the Wooden Quay and along a straight Line drawn in prolongation of the Wooden Quay to the Point at which such straight Line cuts the Boundary of the Borough; thence, Northward, along the Boundary of the Borough to the Point at which the same meets the Avenue to the Bishop's Demesne; thence, Eastward, along the said Avenue to the Point at which the same meets Long Moor Lane; thence along Long Moor Lane to the Point at which the same meets the Rope Walk; thence along the Rope Walk to the Point at which the same meets St. Columb's Well Road; thence, Northward, along St. Columb's Well Road to the Point at which the same meets the Cow Bog; thence along the Cow Bog to Butcher Gate; thence along Butcher Street to the Point at which the same meets the Diamond; thence in a straight Line to the Point first described.

No. 2.—EAST WARD.

LONDON-
DERRY—

continued.

From the Corporation Hall in a straight Line to the Point at which Ferry Quay Street meets the Diamond; thence along Ferry Quay Street to the Point at which the same meets Pump Street; thence along Pump Street to the Point at which the same meets Widow's Row; thence, Southward, along Widow's Row to the Point at which the same meets Fountain Street; thence, Westward, along Fountain Street to the Point at which the same meets Wapping Lane; thence along Wapping Lane to the Point at which the same meets the River Foyle; thence, Southward, along the River Foyle to the Point at which the same meets the Boundary of the Borough; thence, Eastward, along the Boundary of the Borough to the Point at which the same crosses a straight Line drawn in prolongation of the Wooden Quay; thence along such straight Line to the Eastern End of the Wooden Quay; thence along the Wooden Quay to the Point at which the same meets Ship Quay Street; thence along Ship Quay Street to the Point at which the same meets the Diamond; thence in a straight Line to the Point first described.

No. 3.—SOUTH WARD.

From the Corporation Hall in a straight Line to the Point at which Ferry Quay Street meets the Diamond; thence along Ferry Quay Street to the Point at which the same meets Pump Street; thence along Pump Street to the Point at which the same meets Widow's Row; thence, Southward, along Widow's Row to the Point at which the same meets Fountain Street; thence, Westward, along Fountain Street to the Point at which the same meets Wapping Lane; thence along Wapping Lane to the Point at which the same meets the River Foyle; thence, Southward, along the River Foyle to the Point at which the same meets the Boundary of the Borough; thence, Westward, along the Boundary of the Borough to the Point at which the same meets the Rope Walk; thence along the Rope Walk to the Point at which the same meets St. Columb's Well Road; thence, Northward, along St. Columb's Well Road to the Point at which the same meets the Cow Bog; thence along the Cow Bog to Butcher Gate; thence along Butcher Street to the Point at which the same meets the Diamond; thence in a straight Line to the Point first described.

10.—SLIGO.

GENERAL BOUNDARY.

FROM the Northern Angle of the New Stone Quay called Ballast Bank, Eastward, in a straight Line to the Centre of the Bridge on the Road leading from Old Bridge across the Townland of Cartron to the Townland of Ballincan; thence, Eastward, in a straight Line to the Centre of the Bridge on the Road leading from Old Bridge to the Townland of Carcash; thence, South-eastward, in a straight Line to the North-eastern Angle of the Sligo Fever Hospital; thence, Southward, in a straight Line to the Point where the Boundary between the Townlands of Abbey Quarter and Cleveragh meets the Southern Bank of the River Garvoge; thence in a straight Line to the South-eastern Angle of the County Gaol Enclosure Wall; thence, South-westward, in a straight Line to the North-eastern Angle of the House called Peterville on the Western Side of the Boyle Road; thence, North-westward, in a straight Line to the North-western Angle of the House called Rose Hill, now in the occupation of Thomas Read, Esq.; thence, Northward, in a straight Line to the Point at which the North-western Face of Ballast Bank Quay terminates, being about Eighty Yards South-westward of the Point first described; thence along the North-western Face of such Quay to the Point first described.

To be divided into Three Wards, according to the following Boundaries; and in every such Ward there shall be Two Aldermen and Six Councillors.

No. 1.—NORTHERN WARD.

SLIGO.

From the Point at which the River Garvoge cuts the Municipal Boundary, Westward, along the River to the Centre of Old Bridge; thence along Old Bridge or Bridgefoot Street, Wine Street, and the Road which forms the Boundary between the Townlands of Rathedmond and Knappaghbeg, to the Point at which such Road meets the Municipal Boundary; thence, North-eastward, along the Municipal Boundary to the Point first described.

No. 2.—EASTERN WARD.

From the Point at which the River Garvoge cuts the Municipal Boundary, Westward, along the River to the Centre of Old Bridge; thence along Old Bridge or Bridgefoot Street, Knox's Street, Radcliffe Street, Market Street, High Street, Pound Street and the Boyle Mail Coach Road, to the Point at which such Road meets the Municipal Boundary; thence, North-eastward, along the Municipal Boundary to the Point first described.

No. 3.—WESTERN WARD.

From the Point at which the Boyle Mail Coach Road cuts the Municipal Boundary, along such Road, Pound Street, High Street, Market Street, Radcliffe Street, Knox's Street, Wine Street and the Road which forms the Boundary between the Townlands of Rathedmond and Knappaghbeg to the Point at which such Road meets the Municipal Boundary; thence, Southward, along the Municipal Boundary to the Point first described.

11.—WATERFORD.

GENERAL BOUNDARY.

FROM the Point on the North-west Extremity of the Town where the Yard Wall of the Brewery of Messieurs Davis, Strangman and Company joins the River Suir, in a straight Line to the Point where Summer Hill Gallows Road and Morgan's Street meet; thence along the Military Road, Morrisson's Road, Barrack Street, Manor Hill, College Street, Bath Street, across John's Pill at Wyse's Bridge, along Poleberry Street to near the South Corner of Mr. Deleander's House; thence in a straight Line to where the John's Town Road and Upper Newtown Road meet; thence along the Upper Newtown Road towards East Passage to the Centre of the Road in Front of the Orphan House; thence in a straight Line across the River, to the Roman Catholic Chapel in the Abbey Church Lands; thence in a straight Line to Mr. Charles Gatson's Cottage on the Side of Mount Misery; thence across the River to the Point first described.

To be divided into Five Wards, according to the following Boundaries; and in every such Ward there shall be Two Aldermen and Six Councillors.

No. 1.—TOWER WARD.

FROM the Point at which the River Suir meets Henrietta Street, along Henrietta Street, to the Point at which the same meets the open Space in Front of Christ Church; thence in a straight Line to Colebeck Street, along Colebeck Street; thence through Beresford Street to John's Street; thence through a Part of John's Street to John's Bridge; thence along the Centre of John's Pill to Wyse's Bridge; thence along the Municipal Boundary, Eastward, to the River Bank, and along the Course of the River to the Point first described.

No. 2.—CUSTOM HOUSE WARD.

WATERFORD.

FROM the Point at which the River Suir meets Henrietta Street, along the Boundary of Tower Ward, until it meets John's Street; thence, to the North, through Part of John's Street, Michael Street, Broad Street, and Barron Strand Street, to the River; and thence along its Course to the Point first described.

No. 3.—CENTRE WARD.

FROM the Quay opposite Baron Strand Street, along the Boundary of Custom House Ward, to where Patrick's Street crosses it; along Patrick's Street, Westwards, to Ballybricken; along the West Wall of the County Gaol, across Barker Street, along Henry Street and Hanover Street, to the River; and thence to the Point first described.

No. 4.—WEST WARD.

FROM the Quay, opposite Hanover Street, along the Boundary of Centre Ward, to where it meets Ballybricken; thence, Westwards, along Ballybricken and Morgan Street to the Point on the Municipal Boundary where Summer Hill, Gallows Road, and Morgan Street meet; thence along the Municipal Boundary across the River. This Ward to include also the whole Space comprehended within the Parliamentary Boundary on the North Side of the River Suir.

No. 5.—SOUTH WARD.

FROM the Point in the Municipal Boundary where Summer Hill, Gallows Road and Morgan Street meet, along the Boundary of West Ward, through Morgan Street, Ballybricken and Patrick's Street, to the Boundary of Custom House Ward; along that Boundary to the Point where it meets the Boundary of Tower Ward; along the Boundary of Tower Ward to Wyse's Bridge; and thence along the Municipal Boundary to the Point first described.

SCHEDULE (D.)

No. 1. The List of BURGESSES of the Borough of [] or in the Parish, or Precinct, or Ward of [] in the Borough of [].

Christian Name and Surname of each Person at full Length.	Street, Lane, or other Place in this Borough [or Parish, Precinct, or Ward in this Borough] where the Property in respect whereof the Party is to be enrolled is situate.
Andrews, Peter	No. 1, Green Street.
Brady, Thomas	No. 3, White's Lane.

Dated the [] day of [] in the year []
(Signed) A. B.
Churchwarden of the said Parish [or Town Clerk of the said Borough, or Alderman of the said Ward, &c.]

No. 2.

NOTICE OF CLAIM.

To the Town Clerk of the Borough of []

I HEREBY give you Notice, That I claim to have my Name enrolled in the Burgess Roll of the Borough of [], and that I occupy [here describe the House, Warehouse, Counting-house, Office or Shop then occupied by the Claimant,] in the said Borough, which are rated as being of the net Annual Value of [] Pounds or upwards; and that I have occupied the said Premises [or the said Premises or other Premises, describing such other Premises, within the said Borough,] for the Space of [] last past.

Dated the [] day of [] in the year []

(Signed) HENRY STILES.

N.B.—After Three years the words “which are rated as being of the net Annual Value of [] Pounds or upwards,” may be omitted.

No. 3.

NOTICE OF OBJECTION.

To the Town Clerk of the Borough of []

I HEREBY give you Notice, That I object to the Name of Thomas Brady, of White's Lane, in this Borough [describe the Person objected to as described in the List of the Churchwardens, Town Clerk or Alderman of the Ward, &c.] being retained on the Burgess Roll of the Borough of [], because [here state the ground of objection].

Dated the [] day of [] in the year []

(Signed) MICHAEL MEARES of [here state the Place of Abode and Property in respect of which he is said to be entitled to be enrolled in the List of the Churchwardens, Town Clerk or Alderman of the Ward, &c.]

No. 4.

LIST OF CLAIMANTS.

The following Persons claim to have their Names inserted on the Burgess Roll of the Borough of

Christian Name and Surname of each Claimant.	Present Occupancy.	Former Occupancy, as stated in the Claim.
Henry Stiles - - -	House, No. 10, Capel Street -	- - Shop, No. 17, Henry Street, during the last Month, and House, No. 6, Aston's Quay, during the Five preceding Months.

Dated the day of in the year

(Signed) A. B., Town Clerk.

No. 5.

LIST OF PERSONS OBJECTED TO.

The following Persons have been objected to as not being entitled to have their Names retained on the Burgess Roll of the Borough of

Christian Name and Surname of each Person objected to.	Property in respect of which he is said to be entitled to be enrolled in the List of the Churchwardens, Town Clerk, or Alderman of the Ward, &c.
Thomas Brady - - -	No. 3, White's Lane.

Dated the day of in the year

(Signed) A. B., Town Clerk.

No. 6.

LIST of PERSONS subject to the Payment of [here insert Poor Rate, &c., as the case may require], within the Limits of the Borough of [here insert the Name of the Borough], and within the Collection of the undersigned Collector.

Name of Occupier.	Description of Property rated or assessed.	Name or Situation of the Property.	Amount of Poor Rate, Cess or Tax (as the case may be) charged thereon.	To what Time paid up.

(Signed) C. D. Collector.

SCHEDULE (E.)

No. 1.

FORM OF PROCESS OF ATTACHMENT OF GOODS IN COURT OF RECORD.

Borough of L. to wit.
A. B. of, &c., in, &c. [Name, Residence and Addition of Plaintiff.]

C. D. of, &c., in, &c. [Name, Residence and Addition of Defendant.]

Plaintiff.
Defendant.

ATTACH the Defendant by his goods and chattels, if found within the jurisdiction of this Court, so that he be before the Recorder of the said Borough at [Name] on [Name] day the [Name] day of [Name] next after the date hereof, to answer the Plaintiff's Suit in an Action for the sum of [here insert the amount of the demand], for [here insert the cause of Action]; and have you then there this Writ.

Dated this [Name] day of [Name] One thousand eight hundred [Name]

G. H., Registrar.

To [Name]

No. 2.

FORM OF SUMMONS IN COURT OF CONSCIENCE.

Borough of L. to wit.
A. B. of, &c., in, &c. [Name, Residence and Addition of Plaintiff.]

C. D. of, &c., in, &c. [Name, Residence and Addition of Defendant.]

Plaintiff.
Defendant.

By the President of the Court of Conscience for the said Borough: The Defendant is hereby required personally to appear before the said President at [Name] on [Name] day the [Name] day of [Name] next after the date hereof, to answer the Plaintiff's Suit for the sum of [here insert the amount of the debt], for [here insert the particulars of the demand.] On default thereof the said President will proceed as to justice shall appertain.

Dated this [Name] day of [Name] One thousand eight hundred [Name]

Signed on behalf of the Plaintiff, [Name]

SCHEDULE (F.)

Specifying the Taxes, Rates and Cesses, the Payment whereof (if the same, or any of them, are payable in any Borough) shall be necessary to entitle a person to be placed on the Burgess Roll.

The Borough Rate.

The Poor Rates.

The Grand Jury Cess.

Any Tax or Rate for Paving, Lighting, Cleansing or Watching; or for maintaining Police acting for the Borough.

The Wide-Street Tax.

SCHEDULE (G.)

Boroughs named in the said Schedule (B.), in which the Body Corporate appears from the Report of the Irish Corporation Commissioners, presented to his late Majesty King WILLIAM the Fourth, in the year One thousand eight hundred and thirty-five, to be seised or possessed of, or entitled to any Property consisting of any real Estate, or of any personal Estate exceeding in annual amount or value the sum of One hundred pounds.

Ardee,	Cashel,	Naas,	Tuam,
Athlone,	Cloghnakilty,	New Ross,	Wexford,
Athy,	Coleraine,	Strabane,	Wicklow
Carlow,	Kells,	Tralee,	Youghal.
Carrickfergus,	Kinsale,	Trim,	

SCHEDULE (H.)

Boroughs named in the said Schedule (B.), in which the Body Corporate does not appear from the said Report to be seised or possessed of, or entitled to, Property exceeding in annual amount or value the sum of One hundred pounds.

Armagh,	Dingle,	Enniskillen,	Maryborough,
Bandon,	Dundalk,	Fethard,	Monaghan,
Boyle,	Dungannon,	Gorey,	Navan,
Callan,	Ennis,	Longford,	Portarlington.
Charleville,	Enniscorthy,		

SCHEDULE (I.)

BOROUGH.	STYLE OF CORPORATE BODY.
ARDFERT	-- Portreeve, Burgesses and Freemen of the Borough of Ardfert, in the County of Kerry.
ATHENRY	-- Portreeve, Burgesses and Freemen of the Corporation of the Town and Liberties of Athenry.
BALTINGLASS	-- Sovereign, Burgesses and Free Commons of the Borough of Baltinglass.
BANGOR	-- The Provost, Free Burgesses and Commonalty of the Borough of Bangor.
BELTURBET	-- The Provost, Free Burgesses and Commonalty of the Town of Belurbet, in the County of Cavan.
CARLINGFORD	-- The Sovereign, Burgesses and Commonalty of the Borough of Carlingford.
CASTLEMARTYR	-- The Portreeve, Bailiffs and Burgesses of the Borough and Town of Castlemartyr.
CAVAN	-- The Sovereign, Portreeves, Burgesses and Freemen of the Town and Borough of Cavan.
CHARLEMONT	-- The Portreeve, Free Burgesses and Commonalty of the Borough of Charlemont.

DULEEK

SCHEDULE (I.)—*continued.*

BOROUGH.	STYLE OF CORPORATE BODY.
DULEEK - -	Portreeve, Burgesses and Commons of the Town of Duleek.
HILLSBOROUGH - -	- - The Sovereign, Burgesses and Free Commons of the Borough and Town of Hillsborough.
MISTIOGE - -	- - Portreeve, Chief Burgesses and Freemen of the Town and Borough of Mistioge.
KILBEGGAN - -	- - Portreeve, Free Burgesses and Commonalty of the Borough of Kilbeggan.
KILDARE - -	- - The Sovereign, Portreeves, Burgesses and Freemen of the Borough of Kildare.
KILLILEAGH - -	- - The Provost, Free Burgesses and Commonalty of the Borough of Killileagh.
KILMALLOCK - -	The Sovereign and Burgesses of the Town of Kilmallock.
LIFFORD - -	- - The Warden, Free Burgesses and Commonalty of the Borough of Lifford.
NEWTOWNARDS - -	- - The Provost, Free Burgesses and Commonalty of the Borough of Newtowne.
MIDDLETON - -	- - The Sovereign, Bailiffs, Burgesses and Commonalty of the Borough of Middleton.
THOMASTOWN - -	The Sovereign, Provost and Burgesses of the Town of Thomastown.

A

B I L L

For the Regulation of Municipal Corporations
in Ireland.

*(Prepared and brought in by
Lord Viscount Morpeth, Lord John Russell
and Mr. Solicitor-General for Ireland.)*

*Ordered, by The House of Commons, to be Printed,
3 February 1840.*

[*Price 1s. 6d.*]

749



(Ireland.)

A

B I L L

[AS AMENDED BY THE COMMITTEE, AND ON RE-COMMITMENT]

For the Regulation of Municipal Corporations in Ireland.

[N. B.—*The Clauses marked (A.), & (B.) were added by the Committee.*]

WHEREAS divers Bodies Corporate at sundry times have been constituted within the Cities, Towns, Counties of Cities, Counties of Towns, and Boroughs of Ireland, to the intent that the same might for ever be and remain well regulated and quietly governed; and it is expedient that the Charters by which several of the said Bodies Corporate are constituted should be altered in the manner hereinafter mentioned; BE it therefore Enacted, by The QUEEN's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT so much of all Laws, Statutes and usages, and so much of all Royal and other Charters, Grants and Letters Patent, rules, orders and directions now in force relating to the several Boroughs named in the Schedules (A.) (B.) and (I.) to this Act annexed, or to the inhabitants thereof, or to the several Bodies or reputed or late Bodies Corporate named in the said Schedules, or any of them, as is inconsistent with or contrary to the provisions of this Act, shall be repealed and annulled, from the time when this Act shall come into operation in each of such Boroughs respectively.

Preamble.

And be it Enacted, That every person who now is or hereafter may be an inhabitant of any Borough named in either of the said Schedules (A.) (B.) and (I.), and also every person who has been admitted or who might hereafter have been admitted a Freeman or Burgess of any such Borough, if this Act had not been passed, otherwise than by gift or purchase, or who now is or hereafter may be the

1.
Repeal of all Acts, Charters and Customs inconsistent with this Act.

2.
Reservation of all Right of Property and beneficial Exemptions to Freeman, their Wives and Children.

wife, or widow, or son, or daughter of any Freeman or Burgess, or of any person who shall have been entitled to be admitted a Freeman or Burgess of any such Borough as aforesaid, or who may have espoused or may hereafter espouse the daughter or widow of any such Freeman or Burgess, or of any such person as last aforesaid, or who has been or may hereafter be bound an apprentice to any such Freeman or Burgess or any such person as last aforesaid, shall have and enjoy and be entitled to acquire and enjoy the same share and benefit of the lands, tenements and hereditaments, and of the rents and profits thereof, and of the common lands and public stock of any such Borough or Body Corporate, and of any lands, tenements and hereditaments, and any sum or sums of money, chattels, securities for money, or other personal estate of which any person or any Body Corporate may be seised or possessed, in whole or in part, for any charitable uses or trusts, as fully and effectually, and for such time and in such manner as he or she, by any statute, charter, bye-law or custom in force at the time of passing this Act, might or could have had, acquired or enjoyed the same in case this Act had not been passed : Provided always, That the total amount to be divided amongst the persons whose rights are herein reserved in this behalf shall not exceed the surplus which shall remain after payment of the interest of all lawful debts chargeable upon the real or personal estate out of which the sums so to be divided have arisen, together with the salaries of Municipal Officers and all other lawful expenses which on the Fifth day of June One thousand eight hundred and Thirty-five were defrayed out of or chargeable upon the same : Provided also, That nothing hereinbefore contained shall be construed to apply to any claim, right or title of any Burgesses or Freemen, or of any person, to any discharge or exemption from any tolls or dues levied wholly or in part by or to the use or benefit of any Borough or Body Corporate.

3.
None to be
exempted
from Tolls but
those who
were so on
5th June 1835.

And be it Enacted, That after the passing of this Act no person shall have or be entitled to claim thenceforward any discharge or exemption from any tolls or dues lawfully levied, in whole or in part, by or to the use of any Body Corporate, except as hereinafter is excepted : Provided nevertheless, That every person who on the said Fifth day of June One thousand eight hundred and Thirty-five was an inhabitant, or was entitled to be a Freeman or Burgess of any such Borough, or who on the said Fifth day of June was the wife or widow, son or daughter of any Freeman of any Borough, or who on the said Fifth day of June was bound an apprentice, shall be entitled to have or acquire and enjoy the same discharge or exemption from any tolls or dues lawfully levied, in whole or in part, by or to the use of any Borough or Body Corporate, as fully and for such time and in such sort as he or she by any statute, charter, bye-law, or custom in force on the said Fifth day of June and

might or would have had, acquired, and enjoyed the same if this Act had not been passed, and no further or otherwise.

And be it Enacted, That nothing in this Act contained shall be construed to entitle any person to any share or benefit of the rights herein reserved who shall not have first fulfilled every condition which if this Act had not passed would have been a condition precedent to his or her being entitled to the benefit of such rights, so far as the same is capable of being fulfilled, according to the provisions of this Act, or to strengthen, confirm or affect any claim, right or title of any Burgesses or Freemen of any Borough or Body Corporate, or of any person, to the benefit of any such rights as are hereinbefore reserved, but the same in every case may be brought in question, impeached and set aside in like manner as if this Act had not been passed; and where by any statute, charter, bye-law or custom in force within any borough at the time of passing this Act any person whose rights in this behalf are hereinbefore reserved would have been liable, in case this Act had not been passed, to pay any fine, fee or sum of money to any Body Corporate, or to any member, officer or servant of any Body Corporate, in consideration of his freedom, or of his or her title to such rights as are herein reserved, no such person shall be entitled to have or claim any share or benefit in respect of the rights herein reserved as aforesaid until he or she shall have paid the full amount of such fine, fee or sum of money in manner following; (that is to say) if such rights be within any Borough named in the said Schedule (A.), or in any Borough named in the said Schedule (B.) to which a Charter of Incorporation shall have been granted as hereinafter is mentioned, to the Treasurer of such Borough appointed under the provisions of this Act, on account of the Borough Fund hereinafter mentioned; but if such rights be within any Borough named in the said Schedule (B.) to which no such Charter of Incorporation shall have been granted, then to such person as the Commissioners or Guardians of the poor hereinafter mentioned, and if within any Borough named in the Schedule (I.) to this Act annexed, then as the Guardians of the poor hereinafter mentioned, shall appoint to receive the same, to be applied respectively to the public benefit of the inhabitants thereof.

4.
Conditions of admission to be fulfilled as heretofore.

And be it Enacted, That after the passing of this Act no person shall be elected, made or admitted a Burgess or Freeman of any Borough by gift or purchase.

5.
No person to be admitted a Freeman by Gift or Purchase.

AND whereas by an Act passed in the Session of Parliament holden in the second and third years of the reign of his late Majesty, intituled, "An Act to amend the Representation of the People of Ireland," it was enacted, that all Freemen, Free-

6.
Reservation of the Parliamentary Franchise to Freemen.

holders and persons who by reason of any corporate or other right were then by law entitled to vote at the election of a Member or Members to serve in Parliament for any City, Town or Borough, and all persons who by reason of birth, marriage, service, or of any Statute then in force, should be at any time thereafter admitted to their freedom in any City, Town or Borough sending a Member or Members to Parliament, should, subject to the conditions and provisions in that Act contained, have and enjoy such right of voting as fully and in like manner as if that Act had not been passed; BE it Enacted, That nothing herein contained shall prejudice, confirm, affect or alter any right of voting of any such person now registered or any right to be registered of any such person who shall have been admitted a Freeman of any such Borough, at any time before this Act shall come into operation in that Borough; and that every person who shall then have, or who, if this Act had not been passed, thereafter would have had a right, by reason of birth, marriage or service, or of any statute so in force, to be admitted a Freeman of any such Borough, or, after his admission to the freedom of such Borough, to be placed on the Roll of Freemen of such Borough, and to acquire, as such Freeman, the right of voting in the election of a Member or Members to serve in Parliament for such Borough, shall be entitled to be admitted and enrolled as a Freeman of such Borough on "The Freemen's Roll" of such Borough, according to the provisions hereinafter contained, and to acquire and enjoy, as such Freeman, such right of voting (subject to the conditions and provisions in the said recited Act contained), as fully as if this Act had not been passed, and as if he had been actually admitted a Freeman of such Borough, provided he shall be enrolled on "The Freemen's Roll" of such Borough, according to the provisions hereinafter contained.

7.
Proviso as
to Freemen
by birth and
marriage.

Provided always, and be it Enacted, That no person shall have a right so to acquire, as a Freeman, such right of voting as aforesaid in respect of birth or marriage, unless his right be originally derived from or through some person who was a Freeman previously to the Thirty-first day of March One thousand eight hundred and Thirty-one, or from or through some person who since that time shall have become or shall hereafter become a Freeman in respect of servitude.

8.
No admission
or enrolment
unless right of
freedom pre-
vailed on 30th
March 1831.

Provided always, and be it Enacted, That no person shall have a right to be admitted a Freeman of any Borough, or enrolled on "The Freemen's Roll" of any Borough, unless in respect of some right to the freedom of such Borough, which lawfully prevailed and was in force therein on the Thirtieth day of March One thousand eight

eight hundred and Thirty-one; save as to the Borough of Galway, and as regards the said Borough of Galway, unless in respect of some right to the freedom of such Borough which lawfully prevailed, and was in force there on the Sixteenth day of October One thousand eight hundred and Thirty-one.

And be it Enacted, That in either of every Borough named in the said Schedules (B.) and (L.) to which no Charter of Incorporation shall have been granted by virtue of this Act, and in which at any time there shall not be a Chairman of such Commissioners as shall have the management of the Corporate Revenues, by virtue of the provisions hereinafter contained, the Lord Lieutenant of Ireland shall appoint, from time to time, a fit person to make out a list, to be called "The Freeman's Roll" of such Borough, and to act in respect thereto as hereinafter mentioned.

9.
Lord Lieutenant to appoint a person to make out a "Freemen's Roll" in certain cases.

And be it Enacted, That the Town Clerk of every Borough shall, on or before the First day of December next after this Act shall come into operation in that Borough, make out a List, to be called "The Freeman's Roll," of all persons who shall have been admitted as Freeman of such Borough; and that whenever any person who has or shall have, or if this Act had not been passed, would have had a right to be admitted a Freeman, for the purposes aforesaid, of such Borough, in respect of birth, servitude or marriage, or any statute so in force, and who, but for the passing of this Act, would have been entitled to enforce such right at law, shall claim to be admitted accordingly, the Mayor in any Borough named in Schedule (A.) to this Act annexed, or in any Borough named in Schedule (B.) to this Act annexed, to which a Charter of Incorporation shall have been granted, as hereinafter mentioned, and in any Borough to which no such Charter of Incorporation shall have been granted, the Chairman of the Commissioners of every such Borough, in which any Commissioners shall have the management of the Corporate Revenues by virtue of the provisions hereinafter contained, or in case there shall be no such Chairman or Commissioners, such fit person to be so appointed by the Lord Lieutenant of Ireland as aforesaid, shall, within Seven Days after the making thereof, examine into such claim, and upon such claim being established, every such person shall thereupon be admitted and enrolled by the Town Clerk of such Borough upon the said "Freemen's Roll;" and the Town Clerk shall keep a true Copy of such Roll, to be perused by any person, without payment of any fee, at all reasonable times, and shall deliver a copy thereof or extract therefrom to any person requiring the same, on payment of a reasonable price for such copy or extract, not exceeding the sum of Three-pence for every hundred names, and

10.
Town Clerk to make a Freeman's Roll.

so in proportion for any lesser number: Provided always, That the right of every person enrolled on the "Freemen's Roll" to be registered for or to vote at the election of a Member or Members to serve in Parliament may be questioned in like manner as if this Act had not been made, and shall not be in any manner confirmed or prejudiced by such enrolment.

11.

Remedies by Mandamus under 38 Geo. 3, c. 38, and by Quo Warranto under 38 Geo. 3, c. 2, to be applied with reference to "The Freemen's Roll."

And be it Enacted, That the provisions and limitations contained in an Act passed in the Parliament of Ireland in the thirty-third year of the reign of his Majesty King GEORGE the Third, intituled, "An Act for giving Relief in Proceedings upon Writs of Mandamus for Admission of Freemen into Corporations," shall apply to every person who shall, under this Act, have a right to be admitted and enrolled upon "The Freemen's Roll" of any Borough; and the right of every person to be or to have been placed or to remain upon such "Freemen's Roll," and the right of every person enrolled thereon as an admitted Freeman, to have been admitted to the freedom of such Borough, may be questioned and determined upon an information in the nature of Quo Warranto, to be filed by the Attorney-general, or, with the leave of the Court of Queen's Bench, by any registered Parliamentary Elector, Burgess or person qualified to vote at elections under this Act for the Borough in which such "Freemen's Roll" shall be made; and the provisions and limitations contained in an Act passed in the Parliament of Ireland, in the thirty-eighth year of the reign of King GEORGE the Third, intituled, "An Act for the Amendment of the Law in Proceedings upon Information in the Nature of Quo Warranto," shall apply to every such information to be filed as aforesaid.

12.

As to Boroughs in which there is no Town Clerk.

And be it Enacted, That in any Borough in which there shall be no Town Clerk, or in which the Town Clerk shall be incapable of acting, all matters by this Act required to be done by or with regard to the Town Clerk not hereinbefore otherwise provided for, shall be done by and with regard to the person executing duties in such Borough similar to those of Town Clerk; and if there be no such person, or if such person be incapable of acting, then by and with regard to such fit person as the Mayor of such Borough shall appoint in that behalf; and if there shall be no Mayor, the Lord Lieutenant shall appoint, by writing under his hand, a proper person to perform such duties required to be done by and with regard to the Town Clerk under this Act; and in extra-parochial places, and in Parishes where there is no Churchwarden, or where the Churchwarden may be absent or incapable of acting, the Lord Lieutenant shall appoint, by writing under his hand, a proper person to perform the duty of Churchwarden under this Act, and the acts of such person shall be as valid as if done by a Churchwarden.

As to places where there is no Churchwarden.

AND

13.
Corporations
in Schedule
(A.) to be
styled Mayor,
Aldermen and
Burgesses.

AND whereas it is expedient that the Boroughs named in the
Schedule (A.) to this Act annexed should continue to be Towns
Corporate: AND whereas it may be expedient that some of the
Boroughs named in the Schedule (B.) to this Act annexed, which
5 now are Towns Corporate, and also sundry other Towns in Ireland,
not named in the Schedules to this Act annexed, in some of which
the Corporations have been extinct, and others of which never have
been Towns Corporate, should receive Charters of Incorporation
under this Act: AND whereas it is also expedient to make provision
10 for the administration of the Corporate Funds of those Boroughs
named in the said Schedule (B.) to which Charters of Incorporation
under this Act shall not be granted, pursuant to the provisions
hereinafter contained; BE it Enacted, That after the first election
of Councillors under this Act in any Borough named in the said
15 Schedule (A.) the Body or reputed Body Corporate named in the said
Schedule in connexion with such Borough, shall take and bear the
name of the Mayor, Aldermen and Burgesses of such Borough, except
the Corporation of Dublin, which shall bear the name of the Right
Honourable the Lord Mayor, Aldermen and Burgesses of Dublin,
20 and by those names shall have perpetual succession, and shall be
capable in law, by the Council hereinafter mentioned of such Borough,
to do and suffer all acts which such Bodies Corporate lawfully may
do and suffer, and shall be entitled to, invested with and possessed of
all the lawful franchises, rights, trusts, powers, authorities, properties
25 and estates now or of late legally vested in or belonging or which of
right ought to belong to such Boroughs or Bodies Corporate
respectively, solely or jointly with any other person or Body Cor-
porate, save only those in respect of which other provisions are herein
contained; and the Mayor of each of the said Boroughs shall be
30 capable in law to do and suffer all acts which the chief officer of
such Borough might or may lawfully do and suffer, so far as such
powers, rights, trusts and privileges respectively are not altered or
annulled by the provisions of this Act.

14.
Corporations
in Schedule
(B.) dissolved.

And be it Enacted, That on the Twenty-fifth day of October One
35 thousand eight hundred and Forty, in every Borough named in the
Schedules (B.) and (I.) respectively to this Act annexed, the Body or
reputed Body Corporate named in each of the said Schedules (B.) and
(I.) respectively in conjunction with that Borough shall be dissolved,
and this Act shall then come into operation in every such Borough.

15.
The Queen
empowered
to grant
Charters of
Incorporation.

40 And be it Enacted, That if a petition to grant a Charter of In-
corporation under this Act to the inhabitants of any Borough named
in the Schedule (B.) to this Act annexed, or to the inhabitants of
any other town in Ireland, (in which the population according to the
Census or Abstract then last laid before both Houses of Parliament

as by law required, shall exceed the number of Three thousand), signed by a majority of such of the inhabitants thereof as shall be rated for the relief of the destitute poor under the Act for the more effectual Relief of the Destitute Poor in Ireland, shall be presented to Her Majesty, then and in every such case it shall be lawful for Her Majesty, by any such Charter, if by the advice of Her Privy Council she shall think fit to grant the same, to extend to the inhabitants of any such Borough or Town, within the district to be set forth in such Charter, the powers and provisions in this Act contained: Provided that notice of every such petition, and of the time when it shall please Her Majesty to order that the same be taken into consideration by Her Privy Council, shall be published by Royal Proclamation in the Dublin Gazette One calendar Month at least before such petition shall be so considered: Provided also, That within Six Weeks after the commencement of each Session of Parliament, a Return of all the Towns in Ireland, from which petitions shall have been presented for Charters of Incorporation, in pursuance of the provisions hereinbefore contained, shall be laid by One of Her Majesty's Principal Secretaries of State before both Houses of Parliament.

Return of
Boroughs
which have
petitioned
for Charters
to be laid
before Par-
liament.

16.

Property how
to be applied
in Boroughs
in Schedule
(B.) in which
the 9 Geo. 4,
c. 82, is now
in force.

And be it Enacted, That on the Twenty-fifth day of October One thousand eight hundred and Forty, in every Borough named in the said Schedule (B.) in which any Commissioners shall then have been elected under the Act passed in the Session of Parliament held in the ninth year of the reign of King GEORGE the Fourth, intituled, "An Act to make Provision for the Lighting, Cleansing, and Watching of Cities, Towns Corporate, and Market Towns in Ireland, in certain Cases," the real and personal estate of the Body Corporate named in the said Schedule (B.) in conjunction with that Borough shall forthwith vest in such Commissioners, and the rents and profits thereof, after defraying all charges to which such rents or profits may be liable, shall be applied by the Commissioners in aid of the rates to be levied by them under the said Act, and the surplus thereof, if any, shall be applied by them for the public benefit of the inhabitants and improvement of the Borough until such Charter may at any time afterwards be granted; and upon the grant of any such Charter, and the election of a Council under its provisions, the powers of such Commissioners as to the said estate shall cease, and all the said estate, and any accumulation thereof, shall forthwith, without any conveyance thereof, vest in the body so incorporated.

17.

Property how
to be applied
in those
Boroughs in
Schedule (G.)
in which the

And be it Enacted, That on the Twenty-fifth day of October One thousand eight hundred and Forty, in any Borough named in the Schedule (G.) to this Act annexed, in which there shall not then have

have been elected any Commissioners under the said Act of the ninth year of King GEORGE the Fourth, there shall be constituted a Board of Commissioners for the disposition of such property, according to the provisions hereinafter contained, to be called "The Municipal Commissioners" of such Borough, until such Charter may at any time afterwards be granted, or until there shall be elected in such Borough any Commissioners under the said Act of the ninth year of King GEORGE the Fourth; and upon the grant of any such Charter and the election of a Council under its provisions, or upon the election of any Commissioners under the said Act of the ninth year of King GEORGE the Fourth, such Board of Commissioners shall cease, and all the said estate and any accumulation thereof shall forthwith, without any conveyance thereof, vest in the body so incorporated, or in the Commissioners elected under the said Act of the ninth year of King GEORGE the Fourth, where no such Charter shall then have been granted, as the case may be; and in case such estate and accumulation shall so have vested in such Commissioners under the said Act of the ninth year of King GEORGE the Fourth, the same shall be applied by such Commissioners in aid of the rates to be levied by them under the said Act, and the surplus thereof, if any, shall be applied by them for the public benefit of the inhabitants and improvement of the Borough until such Charter may at any time afterwards be granted; and upon the grant of any such Charter and the election of a Council under its provisions, the powers of the said Commissioners as to the said estate shall cease, and all the said estate and any accumulation thereof shall forthwith, without any conveyance thereof, vest in the body so incorporated.

9 Geo. 4 ch. 82
is not now in
force.

And be it Enacted, That in every such Borough as last aforesaid the number of Municipal Commissioners who shall be elected to constitute such Board as aforesaid shall be after the rate of One Commissioner for every Five hundred of the population of such Borough, according to the census or abstract of the population hereinbefore mentioned.

18.
One Commissioner to be elected for every Five hundred Inhabitants.

And be it Enacted, That on the Twenty-fifth day of October One thousand eight hundred and Forty, in any Borough named in the Schedule (H.) to this Act annexed, in which there shall not then have been elected any Commissioners under the said Act of the ninth year of King GEORGE the Fourth, the real and personal estate of such Body Corporate shall forthwith vest in the Guardians of the Poor of the Union in which such Borough or the largest part thereof shall be situate, and the rents and profits thereof, after defraying all charges to which such rents or profits may be liable,

19.
Property how to be applied in those Boroughs in Schedule (H.) in which the 9 Geo. 4 is not now in force.

97. shall

shall be applied by the Guardians, subject to the control an
 according to the orders of the Poor Law Commissioners, in aid of
 the Rates to be levied by them for the relief of the destitute poor in
 the electoral district or districts of such Union in which such
 Borough or any part thereof shall be situate, until such Charter may 5
 at any time afterwards be granted, or until there shall be elected in
 such Borough any Commissioners under the said Act of the ninth
 year of King GEORGE the Fourth; and upon the grant of any such
 Charter, and upon the election of a Council under its provisions, or
 upon the election of any Commissioners under the said Act of the 10
 ninth year of King GEORGE the Fourth, all the said estate and
 any accumulation thereof shall forthwith, without any conveyance
 thereof, vest in the body so incorporated, or in the Commissioners
 elected under the said Act of the ninth year of King GEORGE the 15
 Fourth where no such Charter shall have been granted, as the case
 may be; and in case such estate and accumulation shall so have
 vested in such Commissioners under the said Act of the ninth year
 of King GEORGE the Fourth, the same shall be applied by such
 Commissioners in aid of the rates to be levied by them under the
 said Act, and the surplus thereof, if any, shall be applied by them 20
 for the public benefit of the inhabitants and improvement of the
 Borough, until such Charter may at any time be granted; and upon
 the grant of any such Charter, and the election of a Council under
 its provisions, the powers of the said Commissioners as to the said
 estate shall cease, and all the said estate and any accumulation 25
 thereof shall forthwith, without any conveyance thereof, vest in
 the body so incorporated.

20.
 Property how
 to be applied
 in Boroughs
 in Schedule
 (I.)

And be it Enacted, That on the Twenty-fifth day of October One
 thousand eight hundred and Forty, in every Borough named in the
 Schedule (I.) to this Act annexed, in which any Commissioners shall 30
 then have been elected under the said Act passed in the Session of
 Parliament held in the ninth year of the reign of King GEORGE the
 Fourth, the real and personal estate of the Body Corporate named
 in the said Schedule (I.) in conjunction with that Borough shall
 forthwith vest in such Commissioners, and the rents and profits 35
 thereof, after defraying all charges to which such rents or profits
 may be liable, shall be applied by the Commissioners in aid of the
 rates to be levied by them under the said Act, and the surplus
 thereof, if any, shall be applied by them for the public benefit of the
 inhabitants and improvement of the Borough; and in any Borough 40
 named in said Schedule (I.) in which there shall not have been
 elected on the day last mentioned any Commissioners under the
 said last-mentioned Act, the real and personal estate of such Body
 Corporate shall forthwith vest in the Guardians of the Poor of the
 Union

Union in which such Borough or the largest part thereof shall be situate, and the rents and profits thereof, after defraying all charges to which such rents or profits may be liable, shall be applied by the Guardians subject to the control and according to the orders of the
5 Poor Law Commissioners, in aid of the rates to be levied by them for the relief of the destitute poor in the electoral district or districts of such Union in which such Borough or any part thereof shall be situate, until there shall be elected in such Borough any Commissioners under the said last-mentioned Act;
10 and upon the election of any Commissioners under the said last-mentioned Act, all the said estate and any accumulation thereof shall forthwith, without any conveyance thereof, vest in the Commissioners elected under the said last-mentioned Act, and shall be applied by such Commissioners in aid of the rates to be levied by
15 them under the said Act, and the surplus thereof, if any, shall be applied by them for the public benefit of the inhabitants and improvement of the Borough.

And be it Enacted, That every Borough in the said Schedule (A.) shall be divided into the number of Wards mentioned in such Schedule in conjunction with the name of such Borough, and that the
20 boundaries of the several Boroughs named in the said Schedule (A.) and of the Wards into which the said Boroughs named in the said Schedule (A.) are to be divided, shall, for the purposes of this Act, be taken to be according to the description of such boundaries set
25 forth in Schedule (C.) to this Act annexed, and all the houses, lands and hereditaments within the boundaries therein specified shall hereafter for the purposes of this Act be parts of the said Boroughs ; and in the construction of the several descriptions of boundaries set forth in the said Schedule (C.), the following rules shall be observed :

30 1.—The words “ Northward,” “ Southward,” “ Eastward,” “ Westward,” and the like, shall respectively be understood to denote only the general direction in which any boundary proceeds from the point last described, and not that such boundary shall continue to proceed throughout in the same direction
35 to the point next described :

2.—When any road is mentioned merely by the name of the place to which such road leads, the principal road thither from the Borough of which the boundary is in course of description shall be understood :

40 3.—Whenever a line is said to be drawn from, to, through or in the direction of any distance to be measured from or to an object, such line shall, in the absence of any direction to the

21.
Boundaries
of Boroughs
and Towns.

Rules for the
construction
of the De-
scriptions
contained in
the Schedule
(C.)

contrary, be understood to be drawn from, to, through or in the direction of, or such distance to be measured from or to, the centre of such object, as nearly as the centre thereof can be ascertained :

- 4.—Every building through which, or through any part whereof, any boundary hereby established shall pass, shall be considered as within such boundary : 5
- 5.—Whenever any boundary by this Act established is said to pass along any other boundary, or along any street, road, lane, path, river, stream, canal, drain, brook or ditch, the middle (as near as the same can be ascertained) of such other boundary, or of such road, lane, path, river, stream, canal, drain, brook or ditch shall, in the absence of any direction to the contrary, be understood : 10
- 6.—The middle of any street, road or lane, shall be understood as the middle of the carriage-way along the same : 15
- 7.—When any boundary by this Act established is said to proceed, or any distance to be measured, along a street, road, lane, path, stream, river, canal or drain, from or to any object, such boundary shall be understood to proceed, or such distance to be measured, (as the case may be,) from or to that point in the middle of such road, lane, path, river, stream, canal or drain from which the shortest line would be drawn to the centre of such object, as nearly as the centre thereof can be ascertained : 20 25
- 8.—The point at which any fence, hedge, wall, boundary, street, road, lane, walk, path, river, stream, canal, drain, brook or ditch is said to cut, meet, join, cross, reach or leave any boundary, street, road, lane, path, wall, walk, river, stream, canal, drain, brook or ditch shall, in the absence of any direction to the contrary, be understood as that point at which a line passing along the middle of the one would be cut by a line drawn along the middle of the other, if such line were prolonged sufficiently far : 30
- 9.—When a line is said to be drawn to a road, lane, river, stream or canal, such line shall, in the absence of any direction to the contrary, be considered as prolonged to the middle of such road, lane, river, stream or canal : 35
- 10.—By the words “ Sea ” and “ Sea Coast ” shall be understood the low-water mark : 40
- 11.—If any deficiency shall be found to exist in the line of any boundary described in the said Schedule to this Act annexed, by reason of the intervention of any space between any two immediately consecutive points, such deficiency shall be supplied

plied by a straight line to be drawn from the one to the other of such two immediately consecutive points.

22.
Places only
included
within the
Boundaries
for the pur-
poses of this
Act.

And be it Enacted, That for the purposes of this Act all places locally situate or included within the boundaries of any Borough or
5 of any Ward thereof, as defined under this Act, shall be deemed and taken to be a part or parts of such Borough or of such Ward thereof respectively; and in those Boroughs which are Counties of themselves shall for the purposes of this Act be part of such County and of none other: Provided always, That nothing in this Act con-
10 tained shall alter or affect any city or county of a city, town or county of a town, or borough, or the boundaries thereof, for any purpose of criminal jurisdiction of the Court of Queen's Bench, or of any special or other commission of oyer and terminer and gaol delivery, or of any assizes to be holden in and for such Borough, or
15 for any purpose of civil jurisdiction of any of the superior courts of law, or for any purpose of Grand Jury presentment, or for any purpose of Parliamentary representation, or for any purpose relating thereunto; and that where it is or shall be necessary for any purpose of such representation to describe any residence or premises or
20 place in any oath, affidavit or document, or otherwise, as within a city, or county of a city, or town, or county of a town, such residence, premises or place may be described as within the Parliamentary boundaries of the city or town respectively: Provided nevertheless, That if any place or precinct (which for the pur-
25 poses and under the provisions of this Act shall not be part of such Borough) shall have been liable, before the passing of this Act, to contribute to any rate made for the purpose of satisfying any lawful debt to which the Rate-payers of such Borough or of any county were liable to contribute before the passing of this Act, and in case
30 any difference shall arise concerning the proportion of such debt which ought therefore to be paid and contributed in respect of such place or precinct, it shall be lawful for the Chief Justice of Her Majesty's Court of Queen's Bench in Dublin, in the case of the county of Dublin and the county of the city of Dublin, and in the case of
35 any other county for the Senior Justice of Assize for the county of which such place or precinct shall thenceforward be taken to be part on his circuit, on the application of the Council of such Borough, or of the Chairman of a public meeting of the Rate-payers of such place or precinct, to appoint, by writing under his hand, a Barrister not
40 having any interest in the question, to arbitrate between the parties, and by his award, under his hand and seal, to assess the proportion, if any, of such debt which ought therefore to be paid and contributed in respect of such place or precinct, and such arbitrator shall also assess the costs of the arbitration, and shall direct by whom and in

what proportion, and out of what fund, the same shall be paid ; and such rate as aforesaid shall continue to be levied by warrant of the Council of such Borough, and paid by such place or precinct, as if this Act had not passed, until such proportion shall have been fully paid and satisfied to the Treasurer of the Borough, and no longer : 5
 Provided also, That every county gaol, house of correction, or lunatic asylum, or court of justice, which at the time of the passing of this Act is taken to be for any purpose within any county, shall still for all such purposes be taken to be within such county, any thing herein contained to the contrary notwithstanding. 10

23.
 Jurisdiction
 of Courts ex-
 tended to new
 Boundaries.

Provided also, and be it Enacted, That the jurisdiction of the several Courts, as well of criminal as of civil jurisdiction, and also of the Coroners, Sheriffs, Justices of the Peace and other officers of justice acting for such Boroughs respectively, of the Boroughs named in the said Schedule (A.) shall extend to all places within the limits 15
 and boundaries of such Boroughs as defined under this Act, and shall also extend to all places within the limits and boundaries of such of said Boroughs as are counties of cities and counties of towns respectively as they are at present constituted, or are now taken to be, by virtue of any charter or usage. 20

24.
 Misnomer or
 Misdescription
 not to
 abridge
 operation of
 this Act, and
 description
 to relate to
 1st March
 1836.

And be it Enacted, That no misnomer or inaccurate description contained in this Act, or in the Schedule (C.) hereto annexed, shall in anywise prevent or abridge the operation of this Act, with respect to the subject of such description, provided the same shall be designated so as to be commonly understood ; and that for the purpose of 25
 identifying the descriptions contained in the said Schedule with the subject of such descriptions respectively, such descriptions shall, if such construction should be necessary, be held to apply to such subjects as they existed on the First day of March One thousand eight hundred and Thirty-six. 30

25.
 Mayor to
 set up Boun-
 dary Marks
 within Six
 Months after
 the first
 Election
 under this
 Act ;

AND whereas it is expedient that the metes and bounds of the several Boroughs to which this Act may at any time apply, and of the several Wards into which the same are to be divided, as described in the Schedule (C.) to this Act annexed, or in any charter to be granted as hereinafter provided, be constantly maintained and 35
 generally known ; BE it Enacted, That the Mayor of each of the said Boroughs respectively, within Six calendar Months after the first election of Mayor in that Borough under this Act, shall cause to be set up, at the expense of the Body Corporate of which he is Mayor, permanent and conspicuous boundary marks of iron, wood, stone 40
 or other durable material, in exact conformity with, or as near as circumstances

circumstances will admit, the respective metes and bounds of such Boroughs and the several Wards thereof, and in the most public and convenient places along or near the line of such metes and bounds; and further, within the period of Six calendar Months after the expiration of every successive period of Three Years thereafter, a circuit of perambulation of the metes and bounds of each of such Boroughs respectively, and of the several Wards into which the same is divided, shall be made by the Mayor, accompanied by the Town Clerk of such Borough; and the Town Clerk shall, at the time of making such perambulation, inquire whether the name or names whereby the same metes and bounds or any part thereof are or is described, have or has been changed, and by what name or description the same are or is there commonly known and distinguished, and if any change in the description thereof shall have taken place, shall note the same in a book to be kept by him for that purpose, and to be called the "Boundary Book" of such Borough; and the Mayor is hereby required, in the event of any such boundary mark or marks as aforesaid being obliterated or defaced, to cause the same to be renewed at the expense of the Body Corporate, within Three calendar Months next after such perambulation as aforesaid.

and with the Town Clerk to perambulate the Boundaries once in every Three Years thereafter.

Town Clerk to enter in Book to be kept for that purpose any change in the name or description of the Boundaries.

Mayor to replace any Boundary Marks effaced or destroyed.

And be it Enacted, That every Mayor or Town Clerk who shall neglect to perform the duties hereinbefore described, shall forfeit the sum of Twenty Pounds, to be recovered by action in any one of the superior courts at Dublin, or by civil bill in any Court of Record having jurisdiction within such Borough respectively, by any person who shall sue for the same, one-half to be paid to the person who shall sue for the same, and the other half, after deducting the expenses of so suing, to be ascertained by such Court, to be paid to Her Majesty, Her heirs and successors.

26.
Mayor or Town Clerk neglecting, to forfeit 20 *l*.

And be it Enacted, That every person who shall wilfully or maliciously pull down, deface, obliterate, injure, conceal or destroy any such boundary marks as aforesaid, shall for every such offence forfeit and pay, in addition to the value of such boundary mark or marks as aforesaid, any sum not exceeding Forty Shillings, to be recovered, paid and levied according to the provisions in this Act contained relative to offences against this Act punishable upon summary conviction.

27.
Penalty for defacing or injuring, &c. Boundary Marks.

And be it Enacted, That the several Wards into which the several Boroughs in the Schedule (C.) to this Act annexed mentioned are by this Act respectively divided, shall henceforth be denominated and distinguished by the name and names by which in such Schedule

28.
Wards to be denominated by the names in the Schedules.

such Wards are specified and described in conjunction with the names of such Boroughs respectively, and by no other name or names.

29.
 Charter to
 describe
 Boundaries
 and Wards.

And be it Enacted, That in every Charter of Incorporation, to be granted in pursuance of the provisions of this Act, shall be described the Boundaries of the District to which the same is to extend, which shall be determined, as nearly as may be found convenient, according to the following Rules; (that is to say) such Boundary shall include only the ancient limits of the Town, in all cases in which such limits include all the buildings considered to form part of the Town, and a sufficient space to allow of the probable increase thereof; but when the streets or buildings extend beyond the ancient limits of the Town, such Boundaries shall be made to include the whole of such streets and buildings; and where there is a suburb near, but not contiguous to such Town, then in determining whether such suburb shall be included in the said Boundaries there shall be taken into consideration the extent and occupation of the ground which separates such suburb from the Town, and the nature and employment of the population of such suburb, and their connexion with the Town; and when the ancient Boundaries include a rural district, the Boundaries shall be confined to the Streets and Buildings, with a sufficient space to allow of the probable increase thereof, and shall not include such rural district; and every such Town shall be divided into wards, whenever the population thereof according to the last census or abstract of the population as aforesaid shall appear to exceed in number Eight thousand, and there shall be, as nearly as may be on an average, One Ward and Two Aldermen and Six Councillors to a population of every Four thousand persons, and in every case there shall be an even number of Aldermen, and the number of Councillors shall be Three times the number of Aldermen; and such Charter shall specify the number of wards (if any) into which the Town is to be divided, and the number of Aldermen and Councillors to be elected therein respectively.

30.
 This Act then
 to come into
 operation in
 that Borough.

And be it Enacted, That upon the day to be named in such Charter, the powers and provisions in this Act contained shall be carried into effect in such manner as the Lord Lieutenant shall direct, and as nearly as may be in like manner as if such Town had been named in the Schedule (A.) to this Act annexed.

31.
 Qualification
 of Burgesses
 and Voters at
 elections
 under this
 Act.

And be it Enacted, That after this Act shall have come into operation, in every Borough named in the said Schedule (A.), and also in any Borough named in the said Schedule (B.), or other Town to which a Charter of Incorporation under this Act shall be granted as aforesaid, every person qualified as hereinafter mentioned shall, if duly

duly enrolled according to the provisions hereinafter contained, be a Burgess of such Borough, and a member of the Body Corporate of the Mayor, Aldermen and Burgesses of such Borough; and in any Borough named in the said Schedule (B.) in which a Board of Municipal Commissioners is hereinbefore directed to be constituted, every person qualified as hereinafter mentioned shall be entitled to vote at the election of such Commissioners; (that is to say): during the first Three years next after this Act shall come into operation in any such Borough, every man of full age who, on the last day of August in any year, shall be an Inhabitant House-holder, and shall for Six calendar Months previous thereto have been resident as such within such Borough, or within Seven statute Miles of such Borough, and who shall occupy within such Borough any house, warehouse, counting-house, office or shop: Provided always, That no such occupier shall be admitted to be enrolled as a Burgess, or to vote at any election of Municipal Commissioners under this Act, unless he shall have been rated in respect of such premises to the relief of the poor, and shall have occupied such premises within the said Borough, or other premises of the like nature within the said Borough, for the space of Six calendar Months at the least next preceding such last day of August, nor unless such occupier shall, on or before the last day of August in such year, have paid or discharged all rates for the relief of the poor, and all Grand Jury and Municipal cesses, rates and taxes, which shall have become payable by him in respect of such premises during his occupation thereof, except such as shall have become payable within Six calendar Months next before such last day of August: Provided always, That the premises in respect of the occupation of which any person shall be entitled to be so enrolled or to vote in any year, shall not be required to be the same premises, or in the same parish or union, but may be different premises, occupied in immediate succession by such person, in the same parish or union, or in different parishes or unions: Provided also, That during the first Three Years next after this Act shall have come into operation in any Borough named in the said Schedule (A.), and also in any Borough named in the said Schedule (B.), or other Town to which a Charter of Incorporation under this Act shall be granted as aforesaid, and in any Borough named in the said Schedule (B.) in which a Board of Municipal Commissioners is hereinbefore directed to be constituted, no person shall be admitted to be enrolled as a Burgess, or entitled to vote at the election of such Commissioners, unless such house, warehouse, counting-house, office or shop which he shall so occupy, shall either separately or jointly with any land within such Borough occupied

97. c therewith

therewith by him as tenant, or occupied therewith by him as owner, be of the yearly value following; (that is to say) in any Borough named in the said Schedule (A.) of not less than Ten Pounds, and in any other Borough of not less than Eight Pounds, to be ascertained and determined as hereinafter mentioned; and such yearly value shall be ascertained and determined in manner following, and not otherwise; (that is to say) such value shall be a sum composed of the net annual value at which the premises so occupied by such man shall then be rated (as they are hereby required to be) to the relief of the poor under an Act passed in the Session of Parliament held in the first and second years of the reign of Her present Majesty, intituled, “ An Act for the more effectual Relief of the destitute Poor in Ireland,” and of the amount of the sums at which the landlord’s repairs and insurance shall be estimated and stated in any rate to be made in pursuance of the said Act.

32.
Qualification
of Burgesses
after Three
Years.

And be it Enacted, That after the expiration of the said period of Three Years next after this Act shall have first come into operation, every man of full age, who on the last day of August in any year shall have occupied any house, warehouse, counting-house or shop within any such Borough during that year, and the whole of each of the Two preceding years, and also during the time of such occupation shall have been an inhabitant householder within the said Borough, or within Seven statute Miles of the said Borough, shall, if duly enrolled in that year according to the provisions hereinafter contained, be a Burgess of such Borough, and member of the Body Corporate of the Mayor, Aldermen and Burgesses of such Borough, and shall be entitled to vote at the election of such Commissioners: Provided always, That the premises in respect of the occupation of which any person shall be so entitled to be enrolled need not be the same premises, or in the same parish or union, but may be different premises occupied in immediate succession by such person in the same parish or union, or in different parishes or unions.

33.
Rates to be
paid up to
last day of
August by all
persons pre-
vious to enrol-
ment,

And be it Enacted, That no person shall be so enrolled as last aforesaid in any year, unless he shall have been rated in respect of such premises so occupied by him within the Borough to all Rates made for the relief of the poor of the parish or union wherein such premises are situated, during the time of his occupation as aforesaid, nor unless he shall have paid or discharged, on or before the last day of August as aforesaid, all Rates made for the relief of the poor, and all such Grand Jury and Municipal Cesses, Rates and Taxes as shall have become payable by him in respect of the said premises during his occupation thereof, except such as shall have become payable within Six calendar Months next before the said last day of August.

Provided

Provided always, and be it Enacted, That where in any Borough any cess, rate or tax is or shall be payable in advance, the Commissioners, Trustees or other persons by whom the same shall be imposed, or by whom any rate, assessment or order shall be made for
 5 imposing or levying the same, shall cause public notice thereof to be given by posting such notice for Three successive Days on some convenient place at or near every Court-house and Town Hall within such Borough, and by causing the same to be published in Three
 10 successive impressions or editions of some public newspaper published in such Borough, or in the City or Town nearest to such Borough in which a newspaper shall be published; and such cess, rate or tax shall not, for the purposes aforesaid of this Act, be deemed to have become payable until after the completion of the publication of such notice, and not before: Provided always, That
 15 nothing herein contained shall make any such cess, rate or tax payable before the time at which the same, if this Act had not been passed, would be payable by Law, or shall diminish or affect the liability of any person to the payment of any such cess, rate or tax for any purposes other than the purposes aforesaid of this
 20 Act.

34.
Public
Notices to be
give of
Taxes pay-
able in
advance.

And be it Enacted, That no person being an alien shall be so enrolled or vote, and that no person shall be enrolled or vote who within Twelve calendar Months next before the said last day of August shall have received relief by order of any Board of Guardians or of
 25 any paid officer to be appointed by virtue of the said Act for the relief of the poor, or any pension or charitable allowance from any fund intrusted to the charitable Trustees of such Borough hereinafter mentioned, other than medical or surgical assistance; but no person shall be disqualified from being enrolled as a Burgess or voting by
 30 reason that any child of such person shall have been admitted and taught within any public or endowed school.

35.
Exceptions as
to Aliens and
Paupers.

And be it Enacted, That in every Borough it shall be lawful for any person occupying any house, warehouse, counting-house, office or shop, to claim to be rated to the relief of the poor in respect of
 35 such premises respectively, whether the landlord shall or shall not be liable to be rated to the relief of the poor in respect thereof; and upon such occupier so claiming and actually paying or tendering to the collector thereof, or to the person or persons entitled to receive the same, the full amount of the last-made rate then payable in respect of
 40 such premises, the guardians or other persons charged with making any rate for the relief of the destitute poor which shall or ought to include such premises, are hereby required to put the name of such occupier upon the rate for the time being; and in case any such guardians or other persons shall neglect or refuse so to do, such

36.
Occupiers
may claim to
be rated.

occupier shall nevertheless, for the purposes of this Act, be deemed to have been rated to the relief of the poor in respect of such premises, from the period at which the rate shall have been made in respect of which he shall have so claimed to be rated as aforesaid :
 Provided always, That where by virtue of any Act of Parliament the landlord shall be liable to the payment of the rate for the relief of the poor in respect of any premises occupied by his tenant, nothing herein contained shall be deemed to vary or discharge the liability of such landlord ; but in case the tenant who shall have been rated for such premises in consequence of any such claim as aforesaid, shall make default in the payment of the poor's rate payable in respect thereof, such landlord shall be and remain liable for the payment thereof in the same manner as if he alone had been rated in respect of the premises so occupied by his tenant.

37.

In cases where persons occupy Premises jointly, each person to be entitled to be enrolled as a Burgess.

And be it Enacted, That where any premises as aforesaid in any such Borough shall be jointly occupied by more persons than one, as owners or tenants, each of such joint occupiers shall, subject to the conditions hereinbefore contained as to persons occupying premises in any Borough, be entitled to be enrolled as a Burgess for such Borough, or to vote as aforesaid in respect of the premises so jointly occupied, provided that during the first Three Years next after this Act shall come into operation in such Borough, the value of such premises, to be ascertained and determined as aforesaid, shall be of an amount which, when divided by the number of such occupiers, shall give for each occupier a sum not less than the sum which would entitle such person to be enrolled, or to vote as aforesaid, if he occupied separately, but not otherwise.

38.

How distances are to be reckoned.

And be it Enacted, That in every case provided in this Act the distance of Seven Miles shall be computed by the nearest public road or way by land or water.

39.

In cases of Titles by descent, &c. how the occupation is to be reckoned

And be it Enacted, That where any house, warehouse, counting-house, office or shop in any such Borough shall come to any person by descent, marriage, marriage settlement, devise, bequest or promotion to any benefice or office, such person shall be entitled, in the year in which this Act shall first come into operation in that Borough, to reckon the occupancy, and in each succeeding year to reckon the rating and occupancy thereof by the person from or by whom such house, warehouse, counting-house, office or shop shall have so come to him as his own rating and occupancy, conjointly with the time during which he shall have since occupied and been rated for the same, and shall be entitled to be enrolled a Burgess, or to vote as aforesaid in respect of such successive rating and occupancy, provided

provided he shall be otherwise qualified as herein provided; and it shall not be necessary, in support of the title of such person to be so enrolled or to vote as aforesaid, to prove that he was an inhabitant householder within the said Borough, or within Seven Miles of the said Borough, or that he was an occupant or rated within the same, before the title to such house or other property as aforesaid shall have devolved upon him; and the rating in the name of the person previously occupying shall be considered a sufficient rating of the person so entitled, until a new rate shall be made subsequent to such devolution of title as aforesaid: Provided always, That the other person in respect of whose previous occupancy and rating he shall be so partially entitled shall have been enrolled a Burgess or to vote as aforesaid at the time of such devolution of title as aforesaid.

And be it Enacted, That after the passing of this Act no person shall be elected or enrolled a Burgess of any Borough for the purpose of enjoying the rights conferred for the first time by this Act in respect of any right or title other than by residence, occupancy, rating and payment of cesses, rates and taxes respectively, within such Borough, according to the meaning and provisions of this Act.

And be it Enacted, That in all cases where the occupier of any tenement hereinbefore mentioned, shall have paid any cess, rate or tax, the payment whereof is required by this Act for the purpose of entitling him to be enrolled a Burgess or to vote as aforesaid, which cess, rate or tax shall by virtue of any contract or arrangement of which such occupier shall be entitled to the benefit, be payable by or chargeable upon any other person or persons, the occupier who shall so pay the same shall be entitled to recover or set off the amount of such payment against the person or persons so liable or chargeable; upon proof being made of such contract or arrangement, and of such occupier being entitled to the benefit of the same.

And be it Enacted, That if any person in any of the Boroughs aforesaid shall claim to be entitled to be placed on the Burgess Roll thereof, and shall also claim to be exempt from the payment of any cess, rate or tax payable in such Borough, the payment whereof is by this Act required to entitle a person to be placed on the Burgess Roll, it shall be lawful for the Barrister, or Mayor and Assessors (whose duty it shall be, under the provisions of this Act, to revise the Burgess List or Roll on which such person seeks to be placed), to inquire and determine whether such claim of exemption is a bonâ fide claim, or merely colourable; and if such

40.
No Burgess to be elected who is not qualified under this Act.

41.
Occupiers, notwithstanding paying Rates, may recover or set off the assessment against the party chargeable with the same.

42.
Persons claiming bonâ fide exemption from Taxes, entitled to be enrolled as Burgesses on payment or tender of one year's tax, but to remain liable to arrears if the claim to exemption be not well founded.

Barrister or Mayor and Assessors shall determine that such claim is made bonâ fide, and is not a merely colourable claim, then and in every such case it shall be lawful for such Barrister or Mayor and Assessors, and they are respectively hereby required, to place the name of such person on the Burgess List or Roll, on payment or tender of one year's amount of such cess, rate or tax to the collector thereof, by such person : Provided always, That such payment or tender shall not, in any respect, prejudice or affect the right of such person to exemption from the payment of any part of such cess, rate or tax, in case he shall not be liable to the same, and shall not in any respect vary, discharge or affect the liability of such person to pay the whole amount of the arrears of such cess, rate or tax which shall be then due, or the remedies for the recovery thereof, in case he shall be liable to the same : Provided also, That such person shall be entitled to recover back the sum which he shall have so paid, if his claim to be so exempt be well founded, and if such sum be withheld after demand made for repayment of the same.

43.
Declaring
what Taxes
shall be pay-
able in any
Borough.

And be it Enacted, That the rates, cesses and taxes specified in Schedule (F.) to this Act annexed, or such of them as shall be payable in any Borough, shall be and be deemed the rates, cesses and taxes within the meaning of this Act, the payment whereof shall be necessary as aforesaid to entitle a person to be placed on the Burgess Roll of or to vote in any such Borough ; and no rate, cess or tax not specified in said Schedule (F.) shall be deemed a rate, cess or tax the payment whereof shall be necessary to entitle a person to be placed on any Burgess Roll, or to vote as aforesaid.

44.
Office for re-
ceiving Taxes
to be kept
open for One
Month before
Thirty-first
August in
each year.

And be it Enacted, That after this Act shall come into operation in any Borough, the Guardians, Commissioners, Trustees or other persons who shall be entitled to receive or to cause to be collected any Cess, Rate or Tax, the payment whereof is required by this Act for the purpose of entitling any occupier to be enrolled as a Burgess or to vote in any Borough as aforesaid, or the Collector of such Cess, Rate or Tax, shall, One calendar Month at least before the Thirty-first day of August in each year, open or cause to be opened, in some convenient place within such Borough, an Office for receiving payment thereof of such Cess, Rate or Tax, and shall cause such Office to be kept open for that purpose on every day (Sunday excepted), between the hours of Ten of the clock in the forenoon and Four of the clock in the afternoon, and shall cause a Collector or other officer to attend at such office, to receive such Cess, Rate or Tax ; and in case no such office shall be so kept open, or in case such Collector or other officer shall not attend thereat for the purpose aforesaid, it shall be

be lawful for any occupier liable to any such Cess, Rate or Tax, to pay or tender the same to the Treasurer of such Borough, or if there be no such Treasurer, to the Mayor; and such payment or tender shall be deemed a sufficient payment of such Rate, Cess or Tax, for the purpose only of entitling the occupier so liable, and who shall have made such payment or tender, to be enrolled as a Burgess or to vote as aforesaid; and the amount so paid shall with all convenient speed be paid over by such Treasurer or Mayor to the person entitled to collect or receive such Cess, Rate or Tax; and the amount so paid shall thereupon be credited to the occupier so liable, and who shall have so paid the same: Provided always, That in case such Treasurer or Mayor shall not so pay over the amount so paid to him, and such occupier shall by reason of such default of such Treasurer or Mayor be compelled to pay the same or any part thereof to the person entitled to collect or receive such Cess, Rate or Tax, such occupier shall be entitled to recover from such Treasurer or Mayor the amount which he shall have so paid, together with a sum of One Pound as a penalty for such default, and to sue for and recover the same, with costs, by Civil Bill, before the Recorder of such Borough, or before the Assistant Barrister having jurisdiction within such Borough.

And be it Enacted, That on or before the Fifth day of September in the First year in which this Act shall come into operation in any Borough divided into Wards, according to the provisions and directions herein contained, the Clerk of the Guardians of the Poor of every Union in which, or in any part of which, shall be situate the whole or any part of any Ward of such Borough, shall make out, from the assessment to be made of hereditaments within such Union and Borough under the said Act for the Relief of the Destitute Poor, alphabetical Lists, according to the Form Number 1, in the Schedule (D.) to this Act annexed, of all persons, with their respective residences, who shall be entitled to be enrolled in the Burgess Roll according to the provisions of this Act, in respect of property within such Union and Ward, and shall sign such Lists, and deliver the same on the said Fifth day of September to the Town Clerk, and shall keep a true copy of such Lists, to be perused by any person, without payment of any fee, at all reasonable hours between the said Fifth and the Fifteenth days of September aforesaid.

45.
Churchwardens of each Parish to make out Lists in the first year of persons qualified as Burgesses in each Borough.

And be it Enacted, That on or before the Fifth day of September in every year except the first in which this Act shall come into operation in any Borough, the Town Clerk of such Borough shall make out, in like manner, alphabetical Lists, according to the said Form Number 1, in the Schedule (D.) to this Act annexed, of all persons who shall be entitled to be enrolled in the Burgess Roll of that year within each Ward of such Borough, and shall sign such Lists, and shall on

46.
Town Clerks to make out Lists in Boroughs in following years.

that day deliver a true copy of such Lists, signed by himself, to the Mayor of such Borough, and shall himself keep such original Lists to be perused by any person, without payment of any fee, at all reasonable hours between the Fifth and the Fifteenth days of September in every year.

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47.
Collectors to
make Lists
of Persons
subject to
payment of
Poor Rate,
&c. according
to Schedule
(D.) No. 6, in
this Act.

And be it Enacted, That the several and respective Collectors of the Poor Rates, and of all Grand Jury and Municipal Cesses, Rates and Taxes, payable within any Borough in which this Act shall come into operation, shall, on or before the Third day of September in every year, make out or cause to be made out, according to the Form numbered 6 in the said Schedule (D.) to this Act annexed, an alphabetical List of all persons who shall be subject to the payment of such Poor-rate, Cesses, Rates or Taxes within the limits of such Borough; and within the collection of the person by whom or by whose direction the same shall be made out; and every such Collector shall sign the List so to be made out for his collection, and shall cause a true Copy of such List to be prepared, and shall keep the same, to be perused by any person, without payment of any Fee, at all reasonable hours during the Ten Days next after the same Third day of September; and every such Collector shall on the same Third day of September deliver the List so signed by him as aforesaid to the Town Clerk of such Borough; and such Town Clerk shall forthwith cause to be printed true Copies of every such List, and shall deliver One or more of such respective printed Copies to any person applying for the same, on payment of a reasonable price for each Copy, not exceeding the sum of One Shilling for each Copy.

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48.
Town Clerk
to print the
Lists.

And be it Enacted, That the Town Clerk shall forthwith cause copies to be printed of all Lists so delivered to him by the Churchwardens in the first year, and of all Lists made out by himself or under his direction in every succeeding year, and shall deliver a copy of all such Lists to any person requiring the same, on payment of a sum of One Shilling for each copy, and shall cause a copy of all such Lists to be fixed on or near the outer door of the Town Hall, or in some public and conspicuous situation within the Borough, on every day during the Eight Days next preceding the Fifteenth day of September in every year.

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49.
Persons
omitted from
the Lists to
give Notice
to the Town
Clerk.

And be it Enacted, That every person whose name shall have been omitted in any such List, and who shall claim to have his name inserted on the Burgess Roll; shall, on or before the Fifteenth day of September in every year, give notice thereof to the Town Clerk in writing, according to the Form Number 2, in the said Schedule (D.), or to the like effect; and every person whose name shall have been inserted

40.

serted in any such List for any Borough may object to any other person as not being entitled to have his name retained in the Burgess Roll for the same Borough ; and every person so objecting shall, on or before the Fifteenth day of September in every year, give to the Town Clerk of
5 such Borough, and also to the person objected to, or leave at the premises in respect of which his name shall have been inserted in such List, notice thereof in writing according to the Form Number 3, in the said Schedule (D.), or to the like effect ; and every Town Clerk shall include the names of all persons so claiming in a List according to the Form Number 4, in the said Schedule (D.), and the
10 names of all persons so objected to in a List according to the Form Number 5, in the said Schedule (D.), and shall cause copies of such Lists to be fixed on or near the outer door of the Town Hall, or in some public and conspicuous situation within such Borough during the Eight Days next preceding the First day of October in
15 every year ; and the Town Clerk shall likewise keep a copy of the names of all the persons so claiming as aforesaid, and also a copy of the names of all persons so objected to as aforesaid, to be perused by any person, without payment of any fee, at all reasonable hours,
20 during the Eight Days, Sunday excepted, next preceding the First day of October in every year, and shall deliver a copy of each of such Lists to any person requiring the same, on payment of a sum not exceeding One Shilling for each copy.

Notices as to Persons not entitled to be retained in the Lists.

Lists of Claimants, and of Persons objected to, to be published, &c.

And be it Enacted, That it shall be lawful for the Lord Lieutenant
25 of Ireland to appoint by warrant under his hand so many Barristers of not less than Five Years' standing at the Bar as he shall think fit to revise the List of Burgesses, and to hold any such elections as are herein directed in any Borough in the first year in which this Act shall come into operation in that Borough ; and the Barrister so
3 appointed shall, for that purpose, be in the place and stead of the Mayor and Assessors hereinafter mentioned of such City, Town or Borough, and shall revise the List of Burgesses, and have for that purpose all such powers as the Mayor and Assessors will possess in the succeeding years.

50.
Lord Lieutenant may appoint Revising Barristers for the present year.

And be it Enacted, That in the first year in which this Act shall come into operation in any such Borough, the Barrister appointed as aforesaid, and in every succeeding year the Mayor and the Two Assessors hereinafter mentioned of the Borough, shall hold an open Court within such Borough for the purpose of revising
35 the said Lists, at some time between the First day of October inclusive and the Fifteenth day of October inclusive in every year, having first given Three clear Days' notice of the holding of such Court, to be fixed on or near the door of the Town Hall, or in some public and conspicuous situation within the Borough ; and the

51.
Mayor to revise Lists, and upon due proof to insert and expunge Names.

Town Clerk of every such Borough shall at the opening of the Court produce the said Lists before him or them, and a copy of the Lists of the persons claiming and of the persons objected to, so made out as aforesaid ; and the several Churchwardens for such first year of every parish wholly or in part within every such Borough shall attend the Court to be holden in such first year ; and such Town Clerk and Churchwardens respectively shall answer upon oath all such questions as the Court may put to them or any of them touching any matter necessary for revising the said Lists ; and the Mayor or Barrister, as the case may be, shall insert in such Lists the name of every person who shall be proved to the satisfaction of the Court to be entitled to be enrolled in the Burgess Roll according to the provisions of this Act, and shall retain on the said Lists the names of all persons to whom no objection shall have been duly made and sustained ; and where the name of any person inserted in any one of the said Lists shall have been duly objected to, and the person objecting shall appear by himself or by some one on his behalf in support of such objection, the Court shall require proof of the qualification of the person so objected to ; and in case the qualification of such person shall not be proved to the satisfaction of the Court, the Mayor or Barrister, as the case may be, shall expunge the name of every such person from the said Lists ; and he shall also expunge from the said Lists the name of every person who shall be proved to be dead, and shall correct any mistake or supply any omission which shall be proved to have been made in any of the said Lists in respect to the name or place of abode, or local description of the property of any person who shall be included in any such List : Provided always, That no person's name shall be inserted by the Mayor or Barrister in any such List, or shall be expunged therefrom, except in the case of death, unless notice shall have been given as is hereinbefore required in each of the said cases : Provided also, That the fact of the name of any person having been on the Burgess Roll of the preceding year shall be primâ facie evidence of his title to be enrolled for the current year.

Power to rectify mistakes in the Lists.

52.
Mayor, on revising the Lists, to have power of adjourning, of administering Oaths, &c., and shall settle and sign the Lists in open Court.

And be it Enacted, That every Mayor or Barrister holding any Court under this Act for the revision of the said Lists shall have power to adjourn the same from time to time, so that no such adjourned Court shall be held after the Fifteenth day of October in any year, and shall have power to require any High Constable, Churchwarden or other person authorized to applot, collect or levy any rate for the relief of the poor, cess, rate or tax within the Borough or within any Parish wholly or in part within the Borough, or other person or persons having the custody of any book of applotment or rate of valuation, to produce the same, and allow the same to be inspected

inspected at any Court to be held for the revision of the Burgess Roll, and shall have power to administer an oath to the Town Clerk and Churchwardens, and to all persons claiming to be inserted in or making objection to the omission or insertion of any name
 5 in the said Lists, and to all persons objected to in any of such Lists, and to all persons claiming to have any mistake in any such Lists corrected, and to all witnesses who may be tendered or examined on either side; and if any person taking any oath or making any affirmation under this Act shall wilfully swear or
 10 affirm falsely, such person shall be deemed guilty of Perjury, and shall be punished accordingly; and the Mayor and Assessors or Barrister shall, upon hearing in open Court, determine upon the validity of such claims and objections; and the Mayor or Barrister shall, in open Court, write his initials against the names
 15 respectively struck out or inserted, and against any part of the said Lists in which any mistake shall have been corrected, and shall sign his name to every page of the several Lists so settled.

And be it Enacted, That the Lists so revised and signed as last aforesaid shall be delivered by the Mayor or Barrister to the Town
 20 Clerk of such Borough, who shall keep the same, and shall cause the said Lists to be fairly and truly copied into one general List in a book to be by him provided for that purpose, arranged alphabetically, in each Ward, with every name therein numbered, beginning the numbers from the first name in the first Ward, and continuing
 25 them in a regular series to the last name in the last Ward, and shall cause such Book to be completed on or before the Twenty-second day of October in every year, and shall deliver such Book, together with the Lists, at the expiration of his office, to the person succeeding him in such office; and every such Book shall be the Burgess
 30 Roll of the Burgesses of such Borough entitled to vote after the passing of this Act in the choice of the Aldermen and Councillors, Assessors and Auditors of such Borough as hereinafter mentioned, at any election which may take place in such Borough between the Twenty-fifth day of October inclusive in the year wherein such
 35 Burgess Roll shall have been made and the Twenty-fifth day of October in the succeeding year, or until a new Burgess Roll shall have been made.

53.
 Borough List to be kept by the Town Clerk, and copied into Books, with the Names numbered.

Such Book to be the Register of Voters from which Election shall be made

And be it Enacted, That no Stamp Duty shall be payable in respect of the admission, registry or enrolment of any Burgess, or in respect
 40 of the enrolment of any Freeman, according to the provisions of this Act.

54.
 No Stamp Duty payable on Enrolment.

And be it Enacted, That it shall be lawful for any person whose claim shall have been rejected or name expunged at the revision of the Burgess Roll of any of the said Boroughs to apply before the end

55.
 Applications may be made to the Court of Queen's

Bench in
Ireland for a
Mandamus
to put a
Burgess on
the Roll.

of the Term then next following to the Court of Queen's Bench in Ireland for a Mandamus to the Mayor for the time being of that Borough to insert his name upon the Burgess Roll for such Ward as shall be named in the application, and thereupon for the Court to inquire into the title of the applicant to be so enrolled; and if the Court shall 5
award such Mandamus, the Mayor shall be bound to insert the name at the end of the Burgess Roll, with the addition of the Ward for which such name is so ordered to be inserted, and shall add thereunto the words " By Order of the Court of Queen's Bench," and shall subscribe his name to such words; and the Town Clerk shall be bound 10
to produce the said Burgess Roll to the Mayor for that purpose; and thereupon the person whose name shall be so added to the Burgess Roll shall be deemed a Burgess, and entitled to vote and act as a Burgess in all respects as if his name had been put upon the Burgess Roll in that ward by the Barrister or Mayor and Assessors; and 15
upon every such application the Court shall have power to make such Order with respect to the Costs as to the Court shall seem fit.

56.
Applications
for Quo
Warranto to
be made
within the
Term next
but one after
Election.

And be it Enacted, That after the passing of this Act every application to the Court of Queen's Bench in Ireland for the purpose of calling upon any person to show by what warrant he claims to exercise the office of Mayor, Alderman or Councillor in any Borough, shall be made before the end of the term following next but one after the election of the person against whom such application shall be directed, or after the time when such person shall have become disqualified, and not at a subsequent time. 20
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57.
Corporations
not to be-
come extinct
by reason of
Election not
being held on
appointed
Days.

And be it Enacted, That after the passing of this Act, in case no election shall be made of any Mayor or any of the Aldermen, Councillors or other Corporate Officers, in any Borough, upon the day or within the time appointed by this Act for such election, or such election being made shall afterwards become void, whether such omission or avoidance shall occur through the default of the Officer or Officers who ought to preside at such election, or by any other means or accident whatsoever, the Corporation shall not thereby be deemed to be dissolved or disabled from electing such Mayor, Alderman or Councillor, or other Corporate Officer for the future; but in case where no such election shall be made as aforesaid, the election for any such Mayor, Alderman, Councillor or other Corporate Officer may be had, held or proceeded with upon the day next after the day on which such election ought to have been made, unless such day shall happen to be a Sunday, and then upon the Monday following; and every act necessary to be done in order to and for the completing such election shall and may be then done, and the same shall be as effectual and valid for all purposes as if the election had been made on the proper day appointed for that purpose. 30
35
40

And

And be it Enacted, That after the passing of this Act all the powers, authorities and jurisdictions by an Act passed in the Parliament of Ireland in the nineteenth year of the reign of King GEORGE the Second, intituled, "An Act for the better Regulation of Corporations," given to Her Majesty's Court of Queen's Bench in Ireland, in cases where no election shall be made of the Mayor, Bailiff or Bailiffs, or other chief Officer or Officers of Cities, Boroughs or Towns Corporate, upon the day or within the time appointed by charter or usage for that purpose, and that no election is made pursuant to the directions in that Act and hereinbefore prescribed, or that such election being made shall afterwards become void, as in that Act mentioned, shall be and the same are hereby extended to all cases in which no election shall be made of any Mayor, Alderman, Councillor or other Corporate Officer or other person, to any Corporate Office, on the day or within the time appointed for any such election under the provisions of this Act; and the said Court of Queen's Bench is hereby empowered in all such cases to make such orders, and to do all other acts, matters and things in respect thereof, as fully and effectually as the said Court is now by law authorized in any other cases of making orders for the election of any Officers of Corporations; and the election to be held under any such Order shall be held and the proceedings thereupon conducted within the Borough in the same manner and under the like regulations and provisions as are in said Act of his Majesty King GEORGE the Second enacted and provided.

58.
Provisions of
Act of Irish
Parliament,
19 Geo. 2.,
extended to
Elections
under this
Act.

And be it Enacted, That if any such Mayor or Assessor shall wilfully and corruptly disallow the claim of any person who shall be duly entitled, or wilfully and corruptly allow the claim of any person who shall not be duly entitled to be enrolled on the Burgess Roll, or if any such Mayor shall wilfully and corruptly expunge the name of any person duly entitled, or wilfully and corruptly insert or retain in such List the name of any person who shall not be duly entitled to be enrolled on such Burgess Roll, every Mayor or Assessor so offending shall be liable to be sued by way of civil bill in an action of debt for the penal sum of Fifty Pounds for every name so wilfully and corruptly allowed, disallowed, expunged, inserted or retained, at the suit of any Burgess of the said Borough who shall sue for the same in the Court of the Assistant Barrister, Chairman or Recorder having jurisdiction by way of civil bill within such Borough; and the Defendant in such action respectively, being convicted, shall pay such penal sum so awarded, with full costs of suit, to the party who may sue for the same; and if any Mayor, Town Clerk or Churchwarden shall wilfully neglect to make out such Lists, or wilfully omit the name of any person which ought to be inserted thereon, or wilfully insert in or retain on such Lists the name of

59.
Penalty for
wilfully
and corruptly
expunging or
not inserting
any Name.

Mayor, Town
Clerk, or
Church-
warden neg-
lecting duty,
guilty of
Misdemeanor.

any person which ought not to be inserted thereon, or wilfully neglect or refuse to perform the duties or any part thereof by this Act imposed upon him or them respectively, he shall be deemed guilty of a Misdemeanor, and may be indicted and punished accordingly.

60.
Copies of
Burgess Roll
to be made
for Sale.

And be it Enacted, That the Town Clerk of every Borough named 5
in the said Schedule (A.) shall cause to be written or printed copies
of the Burgess Roll in every year, and shall deliver such copies to
all persons applying for the same, on payment of a reasonable price
for each copy, not exceeding the sum of Three-pence for every hun- 10
dred names, and so in proportion for any lesser number; and the
monies arising from the sale thereof, and of the Churchwardens' and
Town Clerks' Lists, and of the Lists of Claims and Objections as afore-
said, shall be paid over to the Treasurer of such Borough, and shall
be applied by him in aid of the Borough Fund hereinafter mentioned.

61.
Expenses of
Lists how to
be defrayed.

And be it Enacted, That the Council of every Borough named in 15
the said Schedule (A.) shall take an account of the reasonable ex-
penses incurred in carrying into effect the several provisions of this
Act, so far as relates to the said Lists, and shall order the Trea-
surer of such Borough to pay the same out of the Borough Fund
of the said Borough. 20

62.
Mayor, Alder-
men and
Councillors to
be chosen in
every Borough.

And be it Enacted, That in every Borough named in the said
Schedule (A.), and in every Borough named in the said Schedule (B.),
or other Town to which a Charter of Incorporation shall be granted
as aforesaid, there shall be elected, at the time and in manner here-
inafter mentioned, One fit Person, who shall be and be called "The 25
Mayor" of such Borough; and in the different Wards of every such
Borough there shall be elected at the time and in the manner hereinafter
mentioned a certain number of fit persons, who shall be and be called
"The Aldermen" of such Borough, and a certain number of other fit
persons, who shall be and be called "The Councillors" of such Borough; 30
and in every Borough named in the said Schedule (A.) the number
of persons to be so elected Aldermen and Councillors of such
Borough shall be the number of persons in that behalf mentioned
in conjunction with the name of such Borough in the Schedule (A.)
to this Act annexed; and such Mayor, Aldermen and Councillors for 35
the time being, or so many of them as shall at any time be elected
and have accepted the offices, shall be and be called "The Council
of such Borough;" and in every such Borough to which no Charter of
Incorporation shall be granted as aforesaid, and in which Municipal
Commissioners of such Borough shall be constituted under this Act, 40
there shall be elected at the time and in manner hereinafter mentioned,
One fit Person who shall be and be called "The Chairman of the
Municipal Commissioners" of such Borough.

And

And be it Enacted, That no person being in Holy Orders, or being the regular Minister of any Dissenting Congregation, shall be qualified to be elected, or to be a Councillor or an Alderman, or a Municipal Commissioner of any Borough; nor shall any person
5 be qualified to be elected or to be a Councillor or an Alderman of any Borough named in said Schedule (A.) to this Act annexed, who shall not be on the Burgess List of such Borough, nor unless he shall be seised or possessed of real or personal estate, or of both of the clear value of One thousand Pounds above what will satisfy
10 his debts, or shall occupy, and shall for Twelve calendar Months next previous have occupied, a house rated for the relief of the poor at the net annual value of Twenty Pounds or upwards, situate within the Borough; nor shall any person be qualified to be elected, or to be a Councillor or an Alderman of any Borough named in the
15 said Schedule (B.), or other town to which a Charter shall have been granted as hereinbefore is mentioned, who shall not be on the Burgess List of the Borough for which he is elected, nor to be elected or to be such Councillor or Alderman, or a Municipal Commissioner of any Borough, unless he shall be seised or possessed of real or per-
20 sonal estate, or of both, of the clear value of Five hundred Pounds above what will satisfy his debts, or shall occupy, and shall for Twelve calendar months next previous have occupied, a house situate within the Borough, and rated, as aforesaid, at the net annual value of such sum, not more than Twenty Pounds and not less than Twelve
25 Pounds, as to Her Majesty, with the advice of Her Privy Council, shall seem fit, to be specified in such Charter; nor shall any person be qualified to be elected, or to be a Councillor or an Alderman, or a Municipal Commissioner of any such Borough, during such time as he shall hold any office or place of profit, other than that of
30 Mayor, in the gift or disposal of the Council, Commissioners, or charitable Trustees of such Borough, or while he is an uncertificated bankrupt, or during such time as he shall have, directly or indirectly, by himself or his partner, any share or interest in any contract or employment with, by or on behalf of such Council, Commissioners,
35 or charitable Trustees: Provided, That no person shall be disqualified from being a Councillor or Alderman or Commissioner of any Borough as aforesaid by reason of his being a proprietor or shareholder of or in any Company which shall contract with the Council or Commissioners of such Borough for lighting or supplying with
40 water any part of the said Borough, or insuring against fire any property therein.

63.
Who not
qualified to be
chosen Mayor,
Alderman or
Councillor, or
Commissioner.

And be it Enacted, That every Burgess of any Borough divided or to be divided into Wards, according to the provisions and directions herein contained, shall be entitled to vote in the election of the Aldermen and Councillors to be chosen within that Ward in which

64.
Burgesses to
vote for the
Councillors of
the Ward in
which their
Property is
situate.

some part of the property of such Burgess in respect of which he is enrolled on the Burgess Roll for the time being of such Borough shall appear to be situated, and not otherwise, and no other person shall be entitled to vote in the election; and in case it shall happen that any Burgess shall be entitled to be enrolled in respect of property in Two or more Wards, then he shall, if otherwise duly qualified according to the provisions of this Act, be enrolled and vote in such one, but not more than one, of the said Wards as he shall at the time of his enrolment select, by writing under his hand delivered to the Town Clerk, or left at his office on or before the Fifth day of September in any year, or in default of his selection as the Mayor shall determine.

65.
Directing the
election of
Aldermen and
Councillors.

And be it Enacted, That on the Twenty-fifth day of October in the first year in which this Act shall come into operation in any such Borough as last aforesaid, the Burgesses in every Ward of every such Borough shall elect from among the persons qualified to be Councillors of such Borough the number of persons mentioned in the Schedule (A.) to this Act annexed, or in such Charter as aforesaid, as the case may be, in conjunction with such Ward, as the number of Aldermen and Councillors of the said Borough to be elected in such Ward; and One-fourth part of the persons so elected, being those who shall have the greatest number of votes, shall be the Aldermen of the said Ward, and the remaining Three-fourths shall be the Councillors of such Ward; and in case an equal number of votes shall be given for any Two or more persons, any of whom but for such equality would be Aldermen, or where there shall be no contest, the majority of the whole Council shall determine which of such persons having an equal number of votes shall be Alderman or Aldermen.

66.
One-third part
of the Council
to go out of
Office
annually.

And be it Enacted, That upon the Twenty-fifth day of October in every year following that in which this Act shall come into operation in any Borough, One-third part of the number appointed as aforesaid to be the whole number of the Councillors of every Ward of such Borough shall go out of office, and the Burgesses then enrolled in the Burgess Roll for such Ward shall elect the number of Councillors needed to supply the vacancies thereupon existing in the number of Councillors; and those who shall so first go out of office shall be the Councillors who were elected under the provisions of this Act by the smallest numbers of votes at the first election, and in the next year those who shall go out of office shall be the Councillors who were elected under the provisions of this Act by the next smallest numbers of votes at the first election, the majority of the whole Council always determining when the votes for any such persons shall have been equal, or, when

when there shall have been no contest, who shall be the persons so to go out of office ; and thereafter those who shall so go out of office shall always be the Councillors who have been for the longest time in office without re-election : Provided always, That
 5 any Councillor so going out of office shall be capable of being forthwith re-elected, if then qualified as herein provided.

And be it Enacted, That on the Twenty-fifth day of October in every Third year after the year in which this Act shall come into operation in any Borough, except in Dublin, Kilkenny and Clon-
 10 mell, One of the Aldermen of every Ward shall go out of office, and the Burgesses then enrolled in the Burgess Roll for that Ward shall elect an Alderman to supply the vacancy ; and in the City of Dublin the Burgesses of each of the Nine southern Wards and Six northern Wards alternately shall separately elect in each Third
 15 subsequent year the Alderman of that Ward, and in each of the Boroughs of Kilkenny and Clonmell the Burgesses of each Ward alternately shall separately elect in each third subsequent year the Aldermen of that Ward, and the Council of each of the three last-mentioned Boroughs shall determine in which Ward or Wards
 20 the Alderman or Aldermen shall be first re-elected ; and the Alderman or Aldermen first elected in the Ward or Wards so determined upon by the Council shall go out of office at the end of Three Years after their election ; and the Alderman of every Ward of every other Borough who shall so first go out of office shall be the
 25 Alderman who was elected in that Ward by the smallest number of votes at the First election ; the majority of the Council determining when the votes for any such person or persons shall have been equal, or, in case there shall have been no contest, who shall be the Alderman or Aldermen first to go out of office ; and thereafter those who
 30 shall go out of office shall always be those who have been Aldermen for the longest time without re-election : Provided always, That any Alderman on going out of office may be forthwith re-elected if then qualified.

67.
 One-half the number of the Aldermen to go out of office every Three Years.

And be it Enacted, That whenever any day appointed by this
 35 Act as a day of Election, or for doing any act in any year, shall happen on a Sunday, in every such case the election shall be holden and the act done on the following Monday.

68.
 When day of Election falls on a Sunday.

And be it Enacted, That the first election of Aldermen and of Councillors within any Ward according to the provisions of this
 40 Act shall be holden before the Barrister to be appointed by the Lord Lieutenant to revise the Lists of Burgesses as aforesaid, or the person whom the said Barrister shall appoint for that purpose in such Ward respectively, and such Barrister or other person shall for that purpose

69.
 Elections how to be held.

Mode of
voting.

be in the place and stead of the Alderman and Assessors, and shall have all such powers as the Alderman and Assessors will possess in the subsequent elections ; and every subsequent election of Aldermen or of Councillors within any Ward according to the provisions of this Act shall be holden before an Alderman and the Assessors for the time being of such Ward, except as herein is excepted, the senior Alderman presiding when there is more than one ; and the voting at every such election shall commence at Nine of the clock in the Forenoon, and shall finally close at Four of the clock in the Afternoon of the same day, and shall be conducted in manner following ; (that is to say) every Burgess entitled to vote in the election may vote for any number of persons not exceeding the number of Aldermen or Councillors then to be chosen, by delivering to the Mayor or Barrister, or Alderman or person appointed as aforesaid (as the case may be), a Voting Paper containing the christian names and surnames of the persons for whom he votes, with their respective places of abode and descriptions, such Paper being previously signed with the name of the Burgess voting, and with the name of the street, lane or other place in which the property in respect of which he is enrolled is situated.

70.
Polling
Booths to be
provided.

And be it Enacted, That at every election under this Act in any Borough, the Mayor or Barrister, or Alderman or other person before whom the election shall be held, if it shall appear to him expedient for taking the poll at such election, may cause Booths to be erected, or rooms to be hired and used as such Booths, for different parts of such Borough, and such Booths or rooms may be situated either in one place or in several places, and shall be so divided and allotted into compartments as to him shall seem most convenient ; and the Mayor or Alderman, or Barrister or other person shall appoint a Clerk to take the poll at each compartment, and shall cause to be affixed on the most conspicuous part of each of the said Booths the names of the parts of the Borough for which such Booth is respectively allotted ; and no person shall be admitted to vote at any such election except at the Booth allotted for the part wherein the house, warehouse, counting-house, office or shop occupied by him as described in the Burgess Roll may be ; but in case no Booth shall happen to be provided for any particular part as aforesaid, the votes of the persons voting in respect of property situate in any part so omitted may be taken at any of the said Booths ; and public notice of the situation, division and allotments of the different Booths shall be given Two Days before the commencement of the poll by the Mayor or Alderman, or Barrister or other person ; and in case the Booths shall be situated in different places, the Mayor or Alderman, or Barrister or other person may appoint a deputy to preside at each place : Provided that no election shall be

be holden under this Act in any Borough in any church, chapel or other place of public worship.

And be it Enacted, That no inquiry shall be permitted at any election as to the right of any person to vote as a Burgess in any Borough, except only as follows; (that is to say) that the Mayor or other presiding officer shall, if required by any Two Burgesses entitled to vote in the same Borough, put to any voter at the time of his delivering in his Voting Paper, and not afterwards, the following questions, or any of them, and no other :

71.
No inquiry of the Voter except as to his identity, and whether he has voted before at the same Election.

1. Are you the person whose name is signed as A. B. to the Voting Paper now delivered in by you?
2. Are you the person whose name appears as A. B. on the Burgess Roll now in force for this Borough, being registered therein for property described to be situated in ? [Here specify the street, &c. as described in the Burgess Roll.]
3. Have you already voted at the present election, in this or any other Ward?

Forms of Questions as to these points.

And no person required to answer any of the said questions shall be permitted or qualified to vote until he shall have answered the same; and if any person shall wilfully make a false answer to any of the questions aforesaid, he shall be deemed guilty of a Misdemeanor, and may be indicted and punished accordingly.

And be it Enacted, That at any election under the provisions of this Act, it shall be lawful for the presiding Officer to close the poll at any time before Four of the clock, if One Hour shall have elapsed, during which no vote shall have been tendered for any candidate; provided that no person or persons have within the last hour been prevented from coming to the poll by any riot, violence, or other unlawful means, of which notice shall have been given to the Returning Officer.

72.
Poll may be closed if an Hour has elapsed without a Vote being tendered.

And be it Enacted, That the Mayor and Assessors or the Alderman and Assessors, or the Barrister or other person appointed as aforesaid (as the case may be), shall examine the Voting Papers so delivered as aforesaid, for the purpose of ascertaining which of the several persons voted for are duly elected; and so many of such persons, being equal to the number of persons then to be chosen, as shall have the greatest number of votes, shall be deemed to be elected; and in case of an equality in the number of votes for any Two or more persons, the Mayor and Assessors, or Alderman and Assessors, or any Two of them, or at the first Election the Barrister or other person appointed by the Barrister as aforesaid, shall name from amongst those persons for whom the number of votes shall be equal so many as shall be necessary to complete the requisite number of persons

73.
Result of Election how to be declared.

to be chosen Aldermen or Councillors, as the case may be ; and the Mayor shall cause the Voting Papers to be kept in the office of the Town Clerk during Six calendar Months at the least after every such election, and the Town Clerk shall permit any Burgess or any Two Burgesses together, to inspect the Voting Papers of any year, on payment of One Shilling for every search ; and the Mayor shall publish a list of the names of the persons so elected, together with the number of votes given in favour of each person so elected, not later than Two of the clock in the afternoon of the day next but one following the day of such election.

74.
Manner of
proceeding if
any person is
elected an
Councillor in
more than
One Ward.

And be it Enacted, That if at any Election of Aldermen, Councillors or Assessors for any Borough to be divided into Wards, according to the provisions and directions herein contained, any person shall be elected an Alderman, Councillor or Assessor in more than One of the Wards of such Borough, he shall within Three Days after notice thereof choose, or in default the Mayor shall declare, for which one of the said Wards such Alderman, Councillor or Assessor shall serve, and such person shall thereupon be held to be elected in that Ward only which he shall so choose, or which the Mayor shall so declare.

75.
Election of
Auditors and
Assessors.

And be it Enacted, That on the Third day of November in the year in which this Act shall come into operation in every Borough, and in every succeeding year, the Burgesses of the whole Borough shall, at an election to be holden before the Mayor, elect from the persons qualified to be Councillors, by a majority of votes, Two Burgesses, who shall be and be called " Auditors " of such Borough, and Two Burgesses, who shall be and be called " Assessors " of such Borough, and besides the Two Assessors chosen as aforesaid by the Burgesses for the whole Borough to hold the Court with the Mayor for revising the Burgess Lists, the Burgesses of every Ward shall on the Third day of November next after the election of Councillors in such Ward, and in every subsequent year, elect from the persons qualified to be Councillors Two Assessors for such Ward, in the form and manner hereinbefore provided for the election of Councillors ; and every such Auditor and Assessor shall continue in office until the Tenth day of November in the year following his election ; and the election of such Auditors and Assessors respectively shall be in form and manner hereinbefore provided for the election of Councillors : Provided nevertheless, That in every such election of Auditors or Assessors of the Borough, or Assessors of the Ward, no Burgess shall vote for more than One person to be an Auditor or Assessor : Provided also, That no Burgess shall be eligible to be or be elected such Auditor or Assessor as aforesaid who shall be of the Council, or the Town Clerk or Treasurer of such Borough ; and

no

no Auditor shall be eligible to be elected Alderman or Councillor, or appointed to be Town Clerk or Treasurer of the Borough, during the time of his being such Auditor; and no Assessor shall be eligible to be elected Alderman or Councillor during the existence of the Burgess Roll formed from the Lists with respect to which he shall have acted as such Assessor, or appointed to be Town Clerk or Treasurer during the time of his being such Assessor.

And be it Enacted, That if the Mayor of any Borough shall at the time when it shall be necessary to execute the powers and duties herein provided with respect to elections be dead, absent or otherwise incapable of acting, or if there shall be then no Mayor, the Council of such Borough shall forthwith elect one of the Aldermen to execute all such powers and duties in his place, whose acts shall be as valid as any act of the person instead of whom he shall have been so elected.

76.
Council to
appoint an
Alderman in
default of
the Mayor.

And be it Enacted, That in case of the illness or incapacity to act of any Alderman at any election, the Mayor shall be empowered to appoint another Alderman to act in the room of such Alderman during such illness or incapacity.

77.
In case of
illness of Aldermen.

And be it Enacted, That every Assessor shall be empowered and he is hereby directed, as soon as conveniently may be after his election, and from time to time as the occasion may arise or to him may seem fit, to appoint under his hand a deputy to act for him in case of his illness or incapacity to act at any election or any revision of the Burgess Lists; and every such appointment shall be signified by him in writing under his hand to the Council, and shall be recorded on the minutes of their proceedings.

78.
Assessor may
appoint a
Deputy.

And be it Enacted, That in every Borough named in the said Schedule (B.), and in every other Town in Ireland to which a Charter of Incorporation under this Act shall be granted as aforesaid, and which shall not thereby be divided into wards, the Aldermen and Councillors to be assigned to such Borough shall be elected by the Burgesses of the whole Borough, in like manner and at the like times, and before the like persons, and with the like powers, and with the like penalties, and subject to the like regulations, as the Aldermen and Councillors of any ward are directed by the provisions hereinbefore contained to be elected in that ward, at the first or any other election under this Act, except that every such election hereinbefore directed to be holden before an Alderman and two Assessors of the ward shall be holden before the Mayor and two Assessors of the Borough; and the two Assessors chosen to hold the Court with the Mayor for revising the Burgess Lists shall also perform

79.
Where the
Borough is
not divided
into Wards,
the Elections
for the whole
Borough to
be similar to
Elections in
Wards.

form all the same duties, and shall have the same powers within the Borough as are to be performed and exercised in a Borough divided into wards by the two Assessors chosen for each ward ; and the votings and other proceedings in all other respects at such elections within such Borough shall be conducted in the same manner as is hereinbefore directed with regard to similar elections in wards ; and in every Borough named in the said Schedule (B.) to which no Charter of Incorporation under this Act shall be granted as aforesaid, the Municipal Commissioners of such Borough shall be elected in like manner, and at the like times, and before the like persons, and with the like powers, and with the like penalties, and subject to the like regulations as the Councillors in such Boroughs to which Charters of Incorporation under this Act shall or might be granted, and which shall not thereby be divided into wards, except as to Assessors of the Borough, and except that upon the Twenty-fifth day of October in every Third year only, following that in which this Act shall come into operation in such Borough, the whole number of Municipal Commissioners of such Borough then elected as aforesaid, shall go out of office, and the persons then entitled to vote at such elections shall elect the number of Municipal Commissioners then required to constitute such Board as aforesaid, according to the provisions hereinbefore contained ; and all the provisions herein contained relative to any Councillor of any Borough shall, except as aforesaid, apply to any Municipal Commissioner of any Borough ; and all the provisions relative to any Burgess of any Borough at such elections shall apply to any person who is or was entitled to vote at the election of the Municipal Commissioners of any Borough ; and all the provisions relative to the Burgess Roll of any Borough shall apply to the rate for the relief of the poor of the Union in which any such person is rated for any property in such Borough.

80.
Existing
Mayors and
Councils of
Boroughs in
Schedule (A.)
to go out of
office on elec-
tion of Coun-
cils under this
Act.

And be it Enacted, That after the declaration of the first election of the Councillors under the provisions of this Act in any Borough named in the said Schedule (A.), the Mayor, Aldermen and Common Councilmen, and all other members of the Common Council or governing Body of the Body Corporate, if any, named in conjunction with such Borough in the said Schedule (A.), by whatever name or style they may be known or called, then in office, or elected to any office, shall go out of office, and their whole powers and duties shall cease : Provided nevertheless, That any of the said persons shall be eligible to be elected and appointed under the provisions of this Act : Provided also, That such persons as by virtue of any charter are Justices of the Peace in any Borough named in the said Schedule (A.) at the time when this Act shall come into operation shall continue to have and exercise all the powers which at the time when this Act shall come into operation they have as Justices of the Peace, until the

First

First day of December next after the first election of Councillors under this Act in that Borough, and no longer.

And be it Enacted, That in every such Borough in which, by statute, charter, bye-law or custom, any election is appointed to be holden
 5 between the day on which this Act shall come into operation in that Borough and the Twenty-fifth day of October then next following, both inclusive, no such election shall be holden, but every person holding office in any Borough on the day on which this Act shall come into operation in that Borough shall hold such office, and have
 10 all the powers, and be subject to all the duties, and be entitled to the same or a proportion of the same salary and fees of such office for the time for which he shall act, as if he had been elected to such office between the day on which this Act shall come into operation in that Borough and the Twenty-fifth day of October then next
 15 following, until the time provided by this Act for him to go out of office.

81.
 Certain Elections not to be had.

And be it Enacted, That after the passing of this Act, no election shall be holden for any Officer of the Body Corporate named in the said Schedule (B.) in conjunction with such Borough, except
 20 for the purpose of supplying a vacancy occasioned by death, removal or resignation; and in every case in which an election of any such Officer is appointed by any statute, charter, bye-law or custom to be holden between the day of the passing of this Act, and the day on which such Body Corporate shall by virtue of this Act be dissolved,
 25 the person holding or elected to such office on the day of the passing of this Act shall hold such office, and have all the powers and be subject to all the duties belonging thereto, in the same manner as if he had been elected to such office at any time after the passing of this Act: Provided always, That no person so elected for the
 30 purpose of supplying such vacancy shall be entitled to any compensation under the provisions of this Act.

82.
 After the commencement of the Act, existing Mayors, &c. and Officers of Boroughs in Schedule (B.) to continue until new election or dissolution.

And be it Enacted, That the powers and duties of the Mayor, Aldermen and Common Councilmen, and all other members, by whatever name or style they may be called, of every Body Corporate
 35 named in the said Schedules (B.) and (I.) respectively shall cease on the day on which such Body Corporate shall be dissolved by virtue of the provisions hereinbefore contained.

83.
 The power of Mayors and Common Councilmen to cease on the dissolution of the Corporation.

And be it Enacted, That the powers and duties of all persons who by virtue of any charter shall be Justices of the Peace in
 40 any of the said Boroughs named in the said Schedule (B.) shall cease on the day on which such Body Corporate shall be dissolved by virtue of the provisions hereinbefore contained: Provided always, That

84.
 Justices of the Peace to cease on dissolution, except in Carrickfergus, where they are to

continue in office until a separate Commission shall have been granted to that Town.

when the Body Corporate of the Borough of Carrickfergus shall be dissolved, the powers and duties of all persons who by virtue of any Charter shall on the day preceding such dissolution be Justices of the Peace in such Borough, notwithstanding they may have ceased to hold the office by virtue of which they shall be such Justices, 5 shall continue until a separate Commission of the Peace shall have been granted to such Borough or Town or County of the Town of Carrickfergus, and no longer.

85.

The powers of salaried Magistrates under Acts of Parliament continued until determined by the Lord Lieutenant.

And be it Enacted, That the powers and duties of all persons who, on the day preceding the dissolution of any Body Corporate by virtue of this Act, shall be Justices of the Peace with salaries or fees, by virtue of any Act or Acts of Parliament now in force in the Boroughs named in the said Schedule (B.) to this Act annexed in connexion with such Body Corporate, whether such persons shall be Justices in their respective corporate capacities, or shall 15 have been elected or appointed by any such Body Corporate, or any member or members thereof in his or their corporate capacity, and where such persons shall have been such Justices in their respective corporate capacities, notwithstanding that they shall have ceased to hold the offices by virtue of which they shall be such Justices, shall 20 continue, and the same Police Office and Officers, and Servants and Establishments, for the performance of such powers and duties, and all laws and provisions relating thereto, shall be continued and remain in force in the same manner as if this Act had not been passed, until such time as the Lord Lieutenant shall, by notice to be 25 published in the Dublin Gazette, declare, that the same shall determine; and at the time to be mentioned in any such notice the powers and duties of the person or persons therein named as Justice or Justices in such Town shall cease.

86.

Occasional Vacancies of Councillors to be filled up by fresh Elections.

And be it Enacted, That if any extraordinary vacancy shall be occasioned in the office of Councillor, Municipal Commissioner, Auditor or Assessor for any Borough, the Burgesses or persons entitled to vote shall, on a day to be fixed by the Mayor of such Borough, or by the Alderman, appointed as aforesaid, of the Ward in which the vacancy has happened, accordingly as the election is to be by the Burgesses or voters 35 of the whole Borough or of any particular Ward (such day not to be later than Ten Days after such vacancy), elect from the persons qualified to be Councillors or Commissioners, another person qualified to supply such vacancy; and such election shall be held, and the voting and other proceedings, in case of a contest, shall be conducted in the 40 same manner and subject to the same provisions as are hereinbefore enacted with respect to the election of Councillors as aforesaid; and every person so elected shall hold such office until the time at which the person in room of whom he was chosen would regularly have gone

gone out of office, and he shall then go out of office, but shall be capable of immediate re-election, if then qualified as herein provided.

And be it Enacted, That if any extraordinary vacancy shall be occasioned in the office of Alderman by reason of any person who shall have been elected to such office not accepting the same, or by reason of his dying or ceasing to hold the said office, the Burgesses of the Ward in which the vacancy may have occurred, shall on a day to be fixed by the Mayor of such Borough, or by the Alderman, appointed as aforesaid, of the Ward in which the vacancy has happened, or if there shall be no Alderman appointed as aforesaid, by such Alderman or Councillor as shall have been appointed for that purpose by the Council (such day not to be later than Ten Days after such vacancy), elect out of the Councillors or persons qualified to be Councillors of the Borough another fit person to be an Alderman of the Ward instead of the person so declining, dying or ceasing to hold office.

87.
Occasional
Vacancies in
the office of
Alderman to
be supplied.

And be it Enacted, That on the First day of November in every year the Council of the Borough shall elect out of the Aldermen or Councillors of such Borough a fit person to be the Mayor of such Borough, who shall continue in his office for One whole year, and until his successor shall have accepted the office of Mayor, and shall have made and subscribed the Declaration required in that behalf; and in case of an equality of votes in any election of Mayor, the Alderman who shall have been elected by the greatest number of votes shall have a second or casting vote; and in case a vacancy shall be occasioned in the office of Mayor of the Borough during such year, by reason of any person who shall have been elected to such office not accepting the same, or by reason of his dying or ceasing to hold the said office, the Council of the Borough shall within Ten Days after such vacancy elect out of the Aldermen or Councillors of the said Borough another fit person to be the Mayor thereof for the remainder of the then current year; and in like manner, and at the like times, and subject to the like regulations, the Board of Municipal Commissioners of any Borough shall elect out of the Commissioners of such Borough a fit person to be the Chairman of such Commissioners.

88.
Election of
Mayor by
Council.

And be it Enacted, That the Mayor for the time being of every Borough shall be a Justice of the Peace of and for such Borough, and such Mayor shall, during his mayoralty, have precedence in all places within the Borough, and in Boroughs which return a Member or Members to serve in Parliament, other than cities and towns which are counties of themselves, the Mayor, or in any such Borough in which there shall be no Mayor, the Chairman of any Commissioners acting under this Act for such Borough, or if there be no Council or

89.
The Mayor to
be a Justice
of the Peace
for the
Borough and
for the County,
and Returning
Officer at
Elections of
Members to
serve in Par-
liament.

Commissioners acting under this Act for such Borough; the Sheriff of the county in which the whole or the greater part of such Borough shall be situate, shall be the Returning Officer at all elections for such Members; and in case the Mayor or Chairman shall, at the time when it shall be necessary to execute the powers and duties herein provided with respect to any elections, be dead or absent, or otherwise incapable of acting, the Council or Commissioners of such Borough shall forthwith elect one of the Aldermen or Commissioners, as the case may require, to be the Returning Officer for such Borough in the place of the Mayor or Chairman being so dead, absent or otherwise incapable.

90.
Mayor, Aldermen, Councillors, &c.
not to act until they have made a declaration of acceptance of Office.

And be it Enacted, That no person elected a Mayor, Alderman, Councillor, Municipal Commissioner, Auditor or Assessor for any Borough, or Alderman, Councillor or Assessor for any Ward of any Borough, under the provisions of this Act, shall be capable of acting as such, except in administering the declaration herein contained, until he shall have made and subscribed before any Two or more of such Aldermen, Councillors or Commissioners (who are hereby respectively authorized and required to administer the same) a Declaration in the words or to the effect following; (that is to say)

“ I, A. B., having been elected Mayor [or, Alderman, Councillor, Municipal Commissioner, Auditor or Assessor] for the Borough of [or, for the Ward of] in the Borough of [or, for the Ward of], do hereby declare, That I take the said office upon myself, and will duly and faithfully fulfil the duties thereof according to the best of my judgment and ability.”

And in the case of the party being required to be qualified by estate,

“ And I do hereby declare, That I am seised or possessed of real or personal estate [or both, as the case may be] to the amount of One thousand Pounds or Five hundred Pounds [as the case may require,] over and above what will satisfy my debts.”

Or, when a qualification by reason of the occupancy of a house is allowed:

“ That I now occupy, and have for Twelve calendar Months last past occupied, a house rated for the relief of the poor at the net annual value of not less than Twenty Pounds, [or Pounds, as the case may require], situate within the Borough.”

And that every Alderman who shall have made and subscribed the foregoing declaration in respect of estate shall once in every period of Three Years, if required in writing so to do by any Two Members of

of the Council, make and subscribe a Declaration that he is qualified to the same amount in real or personal estate, or both, as the case may then be; as the amount mentioned in the Declaration originally made or subscribed by him; and every Mayor, Alderman, Councillor, 5 Municipal Commissioner, Auditor or Assessor who shall in any such declaration wilfully make a false statement shall be deemed guilty of a Misdemeanor, and may be indicted and punished accordingly: Provided always, That nothing in this Act contained shall be construed to dispense with the obligation of any person to make and subscribe 10 the Oath provided and enjoined by an Act made in the tenth year of the reign of his late Majesty King GEORGE the Fourth, intituled, "An Act for the Relief of His Majesty's Roman Catholic Subjects."

And be it Enacted, That every person duly qualified who shall be elected to the office of Alderman, Councillor, Auditor or Assessor, 15 and every Councillor or Alderman who shall be elected to the office of Mayor for any Borough, shall accept the office to which he shall have been so elected, or shall in lieu thereof pay to the Mayor, Aldermen and Burgesses of such Borough such fine, not exceeding Fifty Pounds in case of Aldermen, Councillors, 20 Assessors or Auditors, and such fine not exceeding One hundred Pounds in case of Mayor, as the Council of such Borough, by a bye-law to be made as hereinafter provided, shall declare in that behalf; and such fine, if not duly paid, shall be levied by the warrant of any Justice having jurisdiction within such Bo- 25 rough, who is hereby required on application of the Council to issue the same, by distress and sale of the goods and chattels of the person so refusing to accept such office, with the reasonable charges of such distress, and shall also be recoverable by way of civil bill in any action of debt, at the suit of the Mayor, Alder- 30 men and Burgesses of such Borough, in the Court of the Assistant-Barrister, Chairman or Recorder having jurisdiction by way of civil bill within such Borough; and every such person so elected shall accept such office, by making and subscribing the declaration hereinbefore mentioned within Five Days after notice of his election, other- 35 wise such person shall be liable to pay the said fine as for his non-acceptance of such office; and every Municipal Commissioner shall in like manner accept his office, and in case of non-acceptance, any such office shall thereupon be deemed to be vacant and shall be filled up by a fresh election to be made in the manner herein- 40 before mentioned: Provided always, That no person disabled by lunacy or imbecility of mind, or by deafness, blindness or other permanent infirmity of body, shall be liable to such fine as aforesaid: Provided also, That every person so elected to any such office, who shall be above the age of Sixty-five Years, or who 97. shall

91.
Every Bur-
gess elected
to the office
of Councillor,
and every
Councillor
elected to the
office of Mayor
or Alderman,
shall accept
the office, or
pay a Fine to
the Borough
Fund.

shall have already served such office respectively or paid the fine for not accepting such office respectively, within Five Years from the day on which he shall be so re-elected, shall be exempted from accepting or serving the same office if he shall claim such exemption within Five Days after notice of his election; and that nothing herein 5 contained shall extend to compel the acceptance of any office or duty whatever in any Borough by any military, naval or marine officer in Her Majesty's service on full pay, or any officer of Excise or Customs, or any person employed in any of Her Majesty's dockyards, victual- 10 ling establishments, arsenals or barracks, or any person serving in the office of High or Sub-Sheriff of a county at large, or being a Member of either House of Parliament: Provided further, That no person enabled by law to make an affirmation or declaration instead of taking an oath shall be liable to any fine for non-acceptance of office in any Borough. 15

92.
Provision
for resigning
Office.

And be it Enacted, That every person elected into any corporate office in any of the said Boroughs, may at any time resign such office on payment of the fine which he would have been liable to pay for non-acceptance of the same office, or if he shall become entitled to claim exemption from payment of any such fine, or 20 from accepting or serving such office under any provision hereinbefore contained.

93.
Any Mayor,
Alderman or
Councillor, &c.
if declared
bankrupt, or
insolvent, or
absenting him-
self from the
Borough, shall
lose his Office.

And be it Enacted, That if any person holding the office of Mayor, Alderman, Councillor or Municipal Commissioner for any Borough shall be declared bankrupt, or shall apply to take the benefit of any 25 Act for the Relief of Insolvent Debtors, or shall compound by deed with his creditors, or, being Mayor, be absent for more than Two calendar Months, or, being an Alderman, Councillor or Municipal Commissioner, for more than Six Months, at one and the same time (unless in case of illness), from the Borough of which he 30 shall be Mayor, Alderman, Councillor or Commissioner, then and in every such case such person shall thereupon immediately become disqualified, and shall cease to hold the office of such Mayor, Alderman, Councillor or Commissioner as aforesaid, and in case of such absence shall be liable to the same fine, to be recovered in the 35 same manner, as if he had refused to accept the said office, and the Council or Board of Commissioners thereupon shall forthwith declare the said office to be void, and shall signify the same by notice in writing under the hands of Three or more of them, countersigned by the Town Clerk, to be affixed in some public place 40 within the Borough, and the said office shall thereupon become void; but every person so becoming disqualified and ceasing to hold such office on account of his being declared a bankrupt, or of his applying to

to take the benefit of any Act for the Relief of Insolvent Debtors, or having compounded with his creditors as aforesaid, shall, on obtaining his certificate, or on payment of his debts in full, be capable, if otherwise qualified, of being re-elected to such office; and every person
 5 becoming disqualified to hold such office on account of absence as aforesaid, shall on his return to such Borough be capable of being re-elected to such office, provided he shall then be otherwise qualified.

And be it Enacted, That if any person shall act as Mayor, Alderman or Councillor, or Municipal Commissioner, or Auditor
 10 or Assessor, for any Borough, or for any Ward in any Borough, without having made the declaration hereinbefore required in that behalf, or without being duly qualified at the time of making such declaration, or after he shall have ceased to be qualified according to the provisions of this Act, or after he shall have become dis-
 15 qualified to hold any such office, he shall for every such offence forfeit the sum of Fifty Pounds, such sum to be recovered, with full costs of suit, by any person who will sue for the same within Three calendar Months after the commission of such offence, by action of debt or on the case in any of Her Majesty's Superior Courts
 20 of Record; and every person so sued by reason of not being so qualified in respect of estate shall prove that he was at the time of so acting qualified as aforesaid, or otherwise shall pay the said penalty, without any further evidence being given on the part of the plaintiff than that such person has acted as the Mayor, or as Alderman, Coun-
 25 cillor, Municipal Commissioner, Auditor or Assessor (as the case may be) of such Borough or Ward (as the case may be): Provided always, That it shall be lawful for any defendant by Judge's order, or by the order of the Court, to be obtained within Fourteen Days after he shall have been served with process in any such action, to require the plaintiff to
 30 give security for costs; and in such case all further proceedings in the said cause shall be stayed until the plaintiff shall give security to the satisfaction of the proper officer of the Court for the costs of such action in case a verdict shall pass for the defendant, or the plaintiff shall become nonsuit or discontinue such action, or if upon demurrer
 35 or otherwise judgment shall be given against the plaintiff, and the defendant shall in either of such cases recover his full costs as between attorney and client: Provided also, That no such action shall be brought except by a Burgess of such Borough, or by a person qualified to vote for Commissioners for such Borough, nor unless the Bur-
 40 gess or such person bringing the same shall, within Fourteen Days after the commission of the offence, have served a notice in writing personally upon the party committing such offence of his intention to bring such action; and in case the plaintiff in any such action shall obtain a verdict, the money to be recovered shall, after payment of the costs and expenses attending the recovery thereof, be paid

94.
 Penalty on
 Person not
 qualified, &c.
 acting as
 Mayor, Alder-
 man or Coun-
 cillor, &c.

Proviso.

and apportioned as follows; (that is to say) one Moiety thereof to the person so suing, and the other Moiety thereof to the Treasurer to be appointed by virtue of this Act, to be by him applied in aid of the Borough or Town Fund: Provided also, That all acts and proceedings of any person in possession of the office of Mayor, Alderman, Councillor, Commissioner, Auditor or Assessor, and acting as a Mayor, Alderman, Councillor, Commissioner, Auditor or Assessor, shall, notwithstanding such disqualification or want of qualification, or any other defect or want of title, be as valid and effectual as if such person had been duly qualified or entitled; and no person enrolled on the Burgess Roll for the time being of any Borough, and who shall act as Mayor, Alderman, Councillor, Auditor or Assessor in that Borough, shall be liable to any penalty for so acting, on the ground that he was not entitled to be on the Burgess List, of such Borough.

95.
Persons convicted of Bribery disqualified from voting at any Election.

And be it Enacted, That if any person who shall have or claim to have any right to vote in any election of Mayor, or of an Alderman, Councillor, Municipal Commissioner, Auditor or Assessor of any Borough or Ward, shall, after the passing of this Act, ask or take any money or other reward by way of gift, loan or other device, or agree or contract for any money, gift, office, employment or other reward whatsoever, to give or forbear to give his vote in any such election, or if any person, by himself or any person employed by him, shall, by any gift or reward or by any promise, agreement or security for any gift or reward, corrupt or procure, or offer to corrupt or procure, any person to give or forbear to give his vote in any such election, such person so offending in any of the cases aforesaid shall for every such offence forfeit the sum of Fifty Pounds, to be recovered, together with full costs of suit, by any one who shall sue for the same, by action of debt, bill, plaint or information, in any of Her Majesty's Courts of Record at Dublin; and any person offending in any of the cases aforesaid, being lawfully convicted thereof, shall for ever be disabled to vote in any election in such Borough, or in any Municipal or Parliamentary election whatever in any part of the United Kingdom, and also shall for ever be disabled to hold, exercise or enjoy any office or franchise to which he then shall or at any time afterwards may be entitled as a Burgess or voter of such or any other Borough, as if such person was naturally dead: Provided nevertheless, That if any person offending in any of the cases aforesaid shall, within the space of Twelve calendar Months next after such election as aforesaid, discover any other person or persons offending in any of the cases aforesaid, so that such person or persons so discovered be thereon convicted, such person so discovering, and not having been before that time convicted of any such offence, shall be indemnified and discharged

Persons offending in any of the cases aforesaid discovering others so offending, within Twelve Months, discharged from all Penalties

charged from all penalties and disabilities which he shall then have incurred by any such offence.

5 Provided always, and it is hereby Enacted, That no person shall be made liable to any incapacity, disability, forfeiture or penalty by this Act imposed in any of the cases aforesaid, unless prosecution be commenced within One Year after such incapacity, disability, forfeiture or penalty shall be incurred; any thing herein contained to the contrary notwithstanding.

96.
No Person to be made liable to incapacity or Penalty, unless Prosecution commenced within One Year.

10 And be it Enacted, That all acts whatsoever authorized or required by virtue of this Act to be done by the Council or Board of Municipal Commissioners of any Borough, and all questions of adjournment or others that may come before such Council or Commissioners, may be done and decided by the majority of the members or Board who shall be present at any meeting held in
15 pursuance of this Act, the whole number present at such meeting not being less than One-third part of the number of the whole Council or Board; and at all such meetings the Mayor or Chairman, if present, shall preside; and the Mayor or Chairman, or, in case of his absence, such Alderman or Councillor or Commissioner as the
20 members then assembled shall choose to be the Chairman of that meeting, shall have a second or casting vote in all cases of equality of votes; and minutes of the proceedings of all such meetings shall be drawn up and fairly entered into a book to be kept for that purpose, and shall be signed by the Mayor, Alderman or Councillor,
25 or Commissioner presiding at such meeting; and the said minutes shall be open to the inspection of any Burgess or voter at all reasonable times on payment of a fee of One Shilling; and any Burgess or voter shall be at liberty at all seasonable times to make any copy or take any extract from such book: Provided always, That
30 previous to any meeting of the Council or Board, held by virtue of this Act, a notice of the time and place of such intended meeting shall be given Three clear Days at least before such meeting, by fixing the said notice on or near the door of the Town Hall of the Borough; and such notice shall be signed by the Mayor or
35 Chairman, who shall have power to call a meeting of the Council or Board as often as he shall think proper; and in case the Mayor or Chairman shall refuse to call any such meeting after a requisition for that purpose signed by Five Members of the Council or Board at the least shall have been presented to him, it shall be lawful for
40 the said Five Members to call a meeting of the Council or Board, by giving such notice as is hereinbefore required in that behalf, such notice to be signed by the said Members instead of the Mayor or Chairman, and stating therein the business proposed to be transacted at such meeting; and in every case a summons to attend the

97.
Questions to be decided by a majority of Councillors present; One-third Part of the whole number to be a Quorum.

Council or Board, specifying the business proposed to be transacted at such meeting, signed by the Town Clerk, shall be left at the usual place of abode of every Member of the Council or Board, or at the premises in respect of which he is enrolled a Burgess, or is qualified to vote as aforesaid, Three clear Days at the least before 5 such meeting; and no business shall be transacted at such meeting other than is specified in the notice: Provided always, That there shall be in every Borough Four quarterly meetings in every year at which the Council or Board shall meet for the transaction of general business, and no notice shall need to be given of the business 10 to be transacted on such quarterly days; and the said quarterly meetings shall be holden at noon on the First day of November, and at such hour on such other Three days before the Twenty-fifth day of October then next following as the Council or Board at the quarterly meeting in November shall decide; and the first busi- 15 ness transacted at the quarterly meeting in November shall be the election of Mayor or Chairman.

98.
Power to
appoint Town
Clerk, Trea-
surer, and
other Officers,
and to take
security for
due discharge
of their
official duties.

And be it Enacted, That the Council or Board of Commissioners acting in the execution of this Act in any Borough in the year in which this Act shall come into operation shall appoint, to be re- 20 movable at their pleasure, a fit person, not being a member of the Council or Board, to be the Town Clerk of such Borough, and in every year one other fit person, not being a member of the Council or Board, to be the Treasurer of the Borough, and the Council of any Borough may also appoint such other officers as have been usually 25 appointed in such Borough, or as they shall think necessary for enabling them to carry into execution the various powers and duties vested in them by virtue of this Act, and may from time to time discontinue the appointment of such officers as shall appear to them not necessary; and such Council or Board shall take such security 30 for the due execution of his office by any such Town Clerk, Treasurer or other officer, as the said Council or Board shall think proper; and shall order to be paid to the Mayor, and to the Town Clerk and Treasurer, and to every such officer to be employed as aforesaid, such salary or allowance as the said Council or Board 35 shall think reasonable; and in case of a vacancy in any such office as aforesaid, by death, resignation, removal or otherwise, the Council or Board of such Borough may appoint another fit person in the place of the person so making such vacancy; provided that the Town Clerk and Treasurer shall not be the same person. 40

99.
Proviso
restricting
the Creation
of Officers
in Boroughs.

Provided always, and be it Enacted, That no appointment of any Officer, other than such as shall usually have been appointed in such Borough, shall be made until a statement in writing shall have been submitted by the Council to the Lord Lieutenant, describing the nature and

and proposed tenure of the office about to be created, and the reasons for creating it, and also the Salary proposed to be paid to the Officer when appointed, nor until the consent of the Lord Lieutenant to the making of such appointment shall, subsequently to the receipt of such statement, have been signified by Warrant under his hand, which Warrant shall be entered upon the Minute-book of the Council.

And be it Enacted, That every Treasurer, Town Clerk or other officer appointed by the Council or Board as aforesaid shall, at such times during the continuance of his office, or within Three calendar Months after the expiration of his office, and in such manner as the said Council or Board shall direct, deliver to the Council or Board, or to such person as they shall authorize for that purpose, a true account in writing of all matters committed to his charge by virtue of this Act, or under colour of his office, and also of all monies which shall have been by him received by virtue or for the purposes of this Act, or under colour of his office, and how much thereof shall have been paid and disbursed, and for what purposes, together with proper vouchers for such payments, and also a list of the names of all such persons as shall not have paid the monies due from them for the purposes of this Act, and of the amount due from each of them; and every such officer shall pay all such monies as shall remain due from him to the Treasurer for the time being, or to such person as the said Council or Board shall authorize to receive the same; and if any such officer shall refuse or wilfully neglect to deliver such account, or the vouchers relating to such account, or such list as aforesaid, or to make payment as aforesaid, or shall refuse or wilfully neglect to deliver to the said Council or Board, or to such person as they shall authorize, within Three Days after being thereunto required by notice in writing under the hands of any Three or more of the said Council or Commissioners, to be given to or left at the last place of abode of such officer, all books, papers and writings in his custody or power, relating to the execution of this Act, or to give satisfaction to the said Council or Board, or to such other person as aforesaid, respecting the same, then and in every such case, upon complaint made on behalf of the said Council or Board, by such person as they shall authorize for that purpose, of any such refusal or wilful neglect as aforesaid, to any Justice of the Peace for the County, or other jurisdiction wherein such officer so refusing or neglecting shall be or reside, such Justice is hereby authorized and required to issue a warrant under his hand and seal for bringing such officer before any Two Justices of the Peace for such County or jurisdiction; and upon the said officer appearing, or not being found, it shall be lawful for such Justices to hear and determine the matter in a summary way; and if it shall appear to such Justices that any monies remain due from such officer, such Justices

100.
Officers to
account, &c.
according to
the Orders
of the Coun-
cil or Board.

Summary
remedy
against
Officers
not account-
ing, &c.

may and they are hereby authorized and required, upon non-payment thereof, by warrant under their hands and seals, to cause such monies to be levied by distress and sale of the goods of such officer; and if sufficient goods shall not be found to satisfy the said monies and the charges of the distress, or if it shall appear to such Justices 5 that such officer has refused or wilfully neglected to deliver such account, or the vouchers relating thereto, or such list as aforesaid, or that any books, papers or writings relating to the execution of this Act remain in the hands or in the custody or power of such officer, and that he has refused or wilfully neglected to deliver the 10 same, or to give satisfaction respecting the same as aforesaid, then and in every such case such Justices shall and they are hereby required to commit such offender to the Common Gaol or House of Correction for the County or jurisdiction where such offender shall be or reside, there to remain without bail until he shall 15 have paid such monies as aforesaid, or shall have compounded with the said Council or Board for such monies, and shall have paid such composition in such manner as they shall appoint (which composition the said Council or Board are hereby empowered to make and receive), or until he shall have delivered a true account as afore- 20 said, together with such vouchers and list as aforesaid, or until he shall have delivered up such books, papers and writings, or have given satisfaction in respect thereof to the said Council or Board, or to such other person as aforesaid, as the case may be: Provided always, That no person so committed shall be detained in prison for want of 25 sufficient distress only, for a longer space of time than Three calendar Months: Provided also, That nothing in this Act contained shall prevent or abridge any remedy by action against any such officer so offending as aforesaid, or against any surety for any such officer; but such officer shall not be sued by action and also 30 proceeded against in a summary manner by virtue of this Act for the same cause.

Proviso.

Remedy by Action.

101.
Duties of Sheriffs performed by other Officers to cease on dissolution of Corporations in Schedules (B.) and (I.)

And be it Enacted, That such of the powers and duties of any Mayor, Bailiff, Provost or Portreeve of any Borough named in the said Schedules (B.) and (I.) to this Act annexed, or either of 35 them, as are exercised and performed in other places by Sheriffs, and as are not otherwise provided for by this Act, shall, when the Body Corporate named in connexion with such Borough in the said Schedules shall be dissolved by virtue of this Act, cease on the day on which such Body Corporate shall be dissolved. 40

102.
Coroners to be discontinued on dissolution of Corporations in Schedule (B.)

And be it Enacted, That the powers and duties of Coroners of any Boroughs named in the said Schedule (B.) to this Act annexed shall, when the Body Corporate named in connexion with such Borough in the said Schedule shall be dissolved by virtue of this Act, cease on the day on which such Corporation shall be dissolved,

dissolved, save as to the persons now authorized to act as Coroners therein, who shall continue to act and to be paid as Coroners as if this Act had not been passed, liable to be removed by the Court of Chancery in Ireland in the same manner as any Coroner in Ireland
5 may now be removed by that Court.

And be it Enacted, That every person who shall have been elected or appointed by any Body Corporate named in the said Schedule (B.) to this Act annexed, which shall be dissolved by virtue of this Act, or by any member or members thereof, in his or
10 their corporate capacity, to be a clerk of a market, or a weighmaster of all goods, wares and merchandises, or a weighmaster of butter, or taster of butter, or assay master, and shall not be entitled to such office as a member of such Body Corporate in his corporate capacity, shall continue to hold such offices, and to execute all the duties
15 heretofore belonging thereto, as if this Act had not passed : Provided always, That if such office shall be filled up upon any resignation or removal made after the passing of this Act, in such case the person appointed to such office may be removed at the pleasure of the Lord Lieutenant, and any person so removed shall not be entitled to compensation under the provisions of this Act.
20

103.
Clerks of
Markets or
Weighmas-
ter appointed
by Corpora-
tions to con-
tinue in their
offices as if this
Act had not
been passed.

And be it Enacted, That the Council elected under this Act in any Borough named in the said Schedule (A.), shall have power to remove from his office every Town Clerk, Bailiff, Treasurer or Chamberlain, and every other ministerial or executive officer of
25 such Borough and Body Corporate, except the Sheriff, who shall be in office at the time of the first election of Councillors under this Act ; and every such Town Clerk, Bailiff, Treasurer or Chamberlain, and every other ministerial or executive officer in such Borough, shall continue to act in the same capacity as
30 heretofore, and to execute all the duties heretofore belonging to his office, and be entitled to have the same salaries, fees and emoluments as he would have had if this Act had not been passed, until he shall be removed from his office, and no longer, unless he shall be re-appointed according to the provisions of this Act ; and
35 any Commissioners acting in execution of any of the powers of this Act shall have power to re-appoint to office any Town Clerk or Treasurer of any Borough who shall have been deprived of office by virtue or in pursuance of this Act ; and every officer who shall be in possession or receipt of any monies, goods, valuable securities, books
40 or papers belonging to or concerning the Borough or the Body Corporate whose officer he is, shall deliver up and account for the same to the Council of such Body Corporate or any Commissioners acting for such Borough under this Act ; and in case they or any of them shall refuse or wilfully neglect to deliver such accounts, vouchers and

104.
Officers to
continue until
removed.

lists, or to make such payments, or to deliver such books, papers and writings, or to give satisfaction respecting the same, as is hereinbefore provided in the case of officers appointed by any Council or Board, they and every of them may in like manner be proceeded against, and shall be subject and liable to the several provisions hereinbefore contained in cases of officers appointed by any Council or Board; and all the charters, deeds, muniments and records of every Borough, or relating to the property thereof, shall be kept in such place as the Council or Commissioners acting in execution of this Act from time to time shall direct, and the Town Clerk for the time being shall have the charge and custody of and be responsible for the same; and every person who shall be a Town Clerk, Bailiff, Treasurer or Chamberlain, or other ministerial or executive Officer of any Body Corporate named in the said Schedule (B.) to this Act annexed, which shall be dissolved by virtue of this Act, and who shall be in such office at the time of such dissolution, shall continue to execute all the duties heretofore belonging to his office, so far as the same are not inconsistent with the provisions of this Act, in the same manner as he would have done if this Act had not been passed, until he shall be removed from his office by any Commissioners appointed or acting, or to be appointed or to act in such Borough by virtue of this Act, or where there shall be no such Commissioners by the Lord Lieutenant: Provided always, That nothing herein contained shall extend to authorize the removal, from his office, of the Pilot of the Town of Galway, unless for some cause for which he might be removed if this Act had not been passed, and that on any vacancy which shall occur in that office, the Lord Lieutenant, until Parliament shall otherwise provide, shall appoint a fit person to fill such vacancy; or shall make such order or regulation, whether for abolishing said office, or otherwise in relation to said office, as shall appear to the Lord Lieutenant advantageous to the trade and navigation of the Port and Town of Galway.

105.
Reservation
of certain
Pensions and
Allowances.

And be it Enacted, That all pensions and allowances granted on or before the Fifth day of June One thousand eight hundred and Thirty-five, by the Corporate Body named in the said Schedule (A.) in conjunction with any Borough, to any retired officer or servant, or to any officer by permanent infirmity rendered incapable of performing the duties of his office, or to the widow or child of any officer or servant, and all stipends and allowances which during Seven Years next before the said Fifth day of June have been usually paid and granted to the Minister or late Minister of any Church or Chapel, or to the Master or Usher of any School, or to the Governor or Master of any Hospital within such Borough, and all charitable allowances which have been usually paid as aforesaid to the inmates of any almshouses by such Corporate

Corporate Body, shall be secured, as soon as conveniently may be after the passing of this Act, to every person entitled or accustomed to have and receive the same, by bond or obligation under the common seal of the Borough out of whose funds the same shall be payable, in a sufficient penalty, conditioned for the payment to such person, his executors and administrators, of such pension, stipend or allowance, with all arrears thereof, if any, accrued due before the date of such bond; and such bond or obligation shall be prepared and executed at the expense of the Borough Fund: Provided always, That in case, since the Fifth day of June One thousand eight hundred and Thirty-five, any such pension or allowance has been granted in any such Borough, in conformity with established usage, the Town Council shall be at liberty, if under the circumstances it shall appear just so to do, to ratify, confirm and continue such pension or allowance, and in such case the same shall be paid and secured in like manner as if the same had been granted before the said last-mentioned day.

And be it Enacted, That it shall be lawful for the Council of any Borough to appoint out of their own Body from time to time such and so many Committees, either of a general or special nature, and consisting of such number of persons as they may think fit, for any purposes which in the discretion of such Council would be better regulated and managed by means of such Committees: Provided always, That the acts of every such Committee shall be submitted to the Council for their approval.

106.
Power to
Council to
appoint Com-
mittees.

And be it Enacted, That on the day on which any Body Corporate named in conjunction with any Borough in Schedules (B.) and (I.), or either of them respectively, to this Act annexed shall be dissolved by virtue of this Act, all the manors, advowsons, messuages, town halls, public and other buildings, lands, rents, hereditaments, leasehold estates, goods, chattels, money, debts, stocks, funds, securities, personal estate and effects, and all other property whatsoever and wheresoever, and of what nature or kind soever of or to which any such Body Corporate, or any one or more of the members of such Body Corporate, in his or their corporate capacity, is or are or shall be seised or possessed or entitled for any estate or interest whatsoever, (except property held in trust for any charitable uses or trusts in respect of which other provisions are herein contained,) and all the estate, right, title and interest of such Bodies Corporate, member or members, shall be and the same are hereby vested in the body so incorporated in that Borough where a Charter shall have been granted under this Act, or in the Commissioners elected under the said Act of the ninth year of King GEORGE the Fourth, or in the Commissioners to be elected in such Borough

107.
Property of
the Corpora-
tions vested
in the Com-
missioners.

respectively in pursuance of this Act, or in the Guardians of the Poor of the Union in which that Borough is situate, as the case may require, subject to such mortgages, charges, debts and incumbrances, rents, contracts, covenants and conditions, as the same respectively shall then be subject or liable to.

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108.

Dissolution of Body Corporate not to affect the title to corporate property.

Provided always, and be it Enacted, That the dissolution of any Corporate Body under this Act shall not affect the title to or continuance of any estate or property of such Corporate Body ; but such estate and property shall vest in and be held by such Commissioners or such body to be so incorporated as aforesaid respectively, as fully and amply as the same might or would have been vested in or held by such Corporate Body if such Corporate Body had not been so dissolved.

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109.

Debts and Contracts of Corporations may be enforced by the Commissioners.

And be it Enacted, That every person and Body Corporate who on the day preceding the day on which any Body Corporate named in conjunction with any Borough in Schedules (B.) and (I.), or either of them respectively, to this Act annexed shall be dissolved by virtue of this Act, shall owe any sum of money to such Body Corporate, shall pay the same, together with all interest (if any) due or to accrue due for the same, to the body so incorporated, or to the Commissioners acting or to be elected in such Borough in pursuance of this Act, or to such Guardians of the Poor, as the case may from time to time require, or their Treasurer ; and all rents and sums of money which on the same day shall be due and payable, or then accruing due and payable to such Body Corporate, shall become and be due and payable to the said body so incorporated, Commissioners or Guardians of the Poor, and shall and may be collected and recovered by the like ways and means, and with the same penalties in respect thereof, and in like manner as the Body Corporate to whom the same respectively shall be due or payable might have collected and recovered the same respectively if this Act had not been passed ; and all conveyances, contracts, agreements, bonds, covenants and securities made or entered into before the day on which such Body Corporate shall be dissolved, to, with or in favour of such Body Corporate, shall be (so far as the same or any of them would be good, valid and effectual, if this Act had not been passed, but not otherwise), good, valid and effectual in favour of the said body so incorporated, Commissioners, or Guardians of the Poor, as the case may be, and may be enforced in the same manner to all intents and purposes as such Body Corporate might have enforced the same if this Act had not been made.

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And

And be it Enacted, That every person and Body Corporate who, on the day preceding the day on which any Body Corporate named in conjunction with any Borough in Schedules (B.) and (I.), or either of them respectively, to this Act annexed shall be dissolved by virtue of this Act, shall claim to be entitled, or would thereafter if this Act had not been passed have become entitled, to any sum of money owing from or payable by such Body Corporate, or shall claim any part of the property of such Body Corporate in respect of any mortgage, charge, conveyance, contract, agreement, bond, covenant or security which shall have been made or entered into with or in favour of him or them by such Body Corporate before the same day, shall and may recover or enforce the same as against the property of such Body Corporate respectively by this Act vested in the said body so incorporated, Commissioners, or Guardians of the Poor, by the same actions, suits, remedies or proceedings against the said body so incorporated, Commissioners or Guardians of the Poor, and in the same manner as he or they respectively might have recovered or enforced the same against such Body Corporate respectively, if this Act had not been made ; but the costs of the said body so incorporated, Commissioners or Guardians of the Poor, in any such actions, suits, remedies or other proceedings, shall be raised and paid out of the property of such Body Corporate respectively hereby vested in them in preference to any sum of money, costs, damages or expenses, claim or demand in favour of any such person or Body Corporate claiming as aforesaid : Provided always, That no action or suit, or right of action or suit, right of entry, possibility, claim or demand, present or future, vested or not vested, by or against, of or for any such Body Corporate, Commissioners or Guardians of the Poor, nor any proceeding to which such Body Corporate, Commissioners or Guardians of the Poor shall be parties or privies, shall abate, be discontinued or affected by any dissolution, transfer of right or estate, or other matter or thing happening by reason of any of the provisions of this Act ; but that in every such action, suit or proceeding, an entry or suggestion as of record shall be made of the event so happening under this Act, from time to time, and thereupon such action, suit or proceeding shall be carried on by or against such Commissioners, Guardians of the Poor, or body so incorporated, as fully as if no such dissolution, transfer of right or estate, matter or thing had happened.

110.
Property
vested in the
Commis-
sioners to be
subject to the
claims of cre-
ditors, &c.
of the Corpo-
rations.

And be it Enacted, That it shall be lawful for any Commissioners, Guardians of the Poor, or body so incorporated in any Borough to commence and prosecute any actions, suits or proceedings for collecting and recovering the property of the Body Corporate named in

111.
Commis-
sioners em-
powered to
bring and
defend
Actions, and
compromise
and settle
Accounts.

the said Schedules (B.) and (I.) or either of them respectively, to this Act annexed in conjunction with such Borough respectively, and to discontinue or compromise any such action, suit or proceeding, and to allow any time which they may think proper for payment of any money due and owing to them in respect thereof, and also to pay any debt or sum of money claimed to be due from any such Body Corporate and to be payable out of such property, upon any evidence which they may think proper to admit, and to defend or compromise any action, suit or other proceeding which may be brought against them by virtue of this Act, and to adjust and settle any account or accounts depending between such Body Corporate and any person or any other Body Corporate, and to submit to arbitration any difference between such Body Corporate or the said Commissioners, Guardians of the Poor, or body so incorporated, and any other person relating to the property of such Body Corporate, and abide by and perform the award of any arbitrator respecting the same, and to do, perform and execute all such deeds and things as they, the said Commissioners, Guardians of the Poor, or body so incorporated respectively, shall think expedient for ascertaining and collecting in the most advantageous manner the property vested in them by virtue of this Act, and settling all claims and demands relating thereto: Provided always, That the Guardians of the Poor shall not commence, prosecute or defend any such action, suit or proceeding without the sanction of the Poor Law Commissioners.

112.
Com-
mis-
sioners to
keep an ac-
count of the
property of
the Corpora-
tion, which
shall be
called the
Town Fund
of the Town.

And be it Enacted, That the said Commissioners of every Borough shall cause an account to be kept of the property belonging to the Body Corporate named in the said Schedule (B.) to this Act annexed in conjunction with such Borough, and vested in such Commissioners by virtue of this Act, and of all rents, profits, revenue, income and sums of money to be received in respect thereof or produced therefrom, and of the application and appropriation thereof; and the property comprised in every such account (which shall include the purchase monies of the Advowsons hereinafter directed to be sold) shall be called the Town Fund of the Borough for which such Commissioners respectively shall have been chosen; and all sums of money received by the Treasurer of such Commissioners in respect of the property comprised in every such account shall, when the same shall not be directed by the said Commissioners to be immediately applied to any other purpose, be paid into the Bank of Ireland in the name of the Treasurer of such Commissioners to an account to be called the Account of the Town Fund of the Borough of which the same shall form part.

And

And be it Enacted, That the said Commissioners of every Borough, or the Guardians, as the case shall be, shall, with all convenient speed, pay or make due provision for payment out of the Town Fund of such Borough, or out of the corporate property or funds vested in the Guardians under this Act, of the outgoings, rates and charges payable in respect of the property therein comprised, and of all charges and incumbrances payable thereout, and of all debts, annuities, pensions, allowances and sums of money payable by the Body Corporate to whom the property comprised in such Town Fund shall have belonged.

113.
Commissioners to pay debts due from Corporations.

And be it Enacted, That it shall be lawful for the said Commissioners of every Borough, or with the consent of the Poor Law Commissioners for the Guardians, as the case shall be, from time to time, to cause any repairs to be made to any buildings or premises which they may think expedient, and to insure any buildings from loss or damage by fire, and pay the expenses of such repairs and insurances out of the said Town Fund, and also to cause to be invested in their names, or in the name of their Treasurer, any monies forming part of any such Town Fund, in any stocks, funds or securities, and alter and vary such stocks, funds and securities as they shall think proper, and in all other respects manage the property comprised in every or any such Town Fund, and invest or dispose of the same and all revenues thereof in such manner as they shall think most advantageous.

114.
Commissioners may insure buildings and manage Revenues.

And be it Enacted, That it shall be lawful for the said Commissioners of any Borough, or the Guardians, as the case shall be, to appropriate and settle any Town Hall, Police Office, or other public building in any Town forming part of the Town Fund of such Borough respectively, for the purposes of a Court for the holding of Quarter Sessions, or a Court of Record for Civil Actions, or a Court of Conscience, or Police Station, or other public use for the benefit of the inhabitants of such Borough.

115.
Commissioners may appropriate public Buildings to public purposes for the benefit of the Towns.

AND whereas it is expedient that the administration of any real or personal estate of which any Body Corporate now stands seised or possessed in trust as to the whole or in part for certain charitable trusts be kept distinct from that of the public stock and Borough Fund; BE it Enacted, That in every Borough in which the Body Corporate, solely or together with any one or more of the Members of such Body Corporate, in his or their corporate capacity, or with any person or persons elected from among or out of the members or any of the members of such Body Corporate, or any person or persons

116.
Charitable Trustees.

elected solely by such Body Corporate, or solely by any particular
 number, class or description of members, of such Body Corporate,
 now stands seised or possessed for any estate or interest whatsoever
 of any hereditaments, or any sums of money, chattels, securities for
 money, or any other personal estate whatsoever, in whole or in 5
 part, in trust or for the benefit of any charitable uses or trusts
 whatsoever, or is or are empowered to direct the application of the
 rents, profits or produce of any hereditaments, or any sum or sums of
 money, chattels, securities for money, or other personal estate what-
 soever, for any charitable purpose, all the estate, right, interest and 10
 title, and all the powers of such Trustee or Trustees, shall, on the
 day on which this Act shall come into operation in any such Borough,
 be vested in the persons who shall on the same day have been the
 Mayor, Aldermen and Common Council or other governing Officers
 of such Body Corporate, alone or together with the person or persons 15
 who shall have been seised or possessed of or entitled to exercise the
 same together with such Body Corporate (as the case may be),
 and shall continue vested in such persons until the First day of
 March in the year One thousand eight hundred and Forty-one,
 or until Parliament shall otherwise order; and if any vacancy 20
 shall be occasioned among such Charitable Trustees for any
 Borough before any other provision shall be made by Parlia-
 ment, it shall be lawful for the Lord Chancellor of Ireland, then
 for the time being, upon petition in a summary way, to appoint a fit
 person to be Trustee to supply such vacancy; and all the estate, 25
 right, interest and title at law and in equity of and in such trust
 estates, hereditaments and premises, shall forthwith, without any
 conveyance or assignment thereof, pass to and be vested in the
 Trustee so appointed, jointly with the other Trustee or Trustees;
 and if Parliament shall not otherwise direct on or before the said 30
 First day of March, the Lord Chancellor then shall make such
 orders as he shall see fit for the appointment of a Trustee or Trustees,
 and the administration of such trust estate, subject to such charitable
 uses or trusts as aforesaid; and thereupon the Trustee or Trustees
 so appointed shall come in the room of the persons heretofore 35
 named or continued as Trustees, and all the estate, right, interest
 and title at law and in equity of and in such trust estates, heredita-
 ments and premises shall forthwith, without any conveyance or
 assignment thereof, pass to and be vested in the Trustees so ap-
 pointed by the Lord Chancellor: Provided always, That where any 40
 hereditaments or any sums of money, debts or securities for money,
 or any other personal estate, held upon any charitable uses or
 trusts as aforesaid, or any part thereof, shall be exclusively appli-
 cable to or towards the establishment, maintenance or support of
 religious education or religious worship according to the principles
 of the Protestant Church of the United Kingdom of Great Britain
 and

and Ireland, or for the benefit of any person or persons of any other religious class or denomination of Her Majesty's subjects, no person except a member of the said United Church, or, as the case may be, who shall not profess the principles of such other religious class
5 or denomination, for the promoting of whose education or worship, or for whose benefit any such property as aforesaid may be applicable, shall be appointed by the Lord Chancellor to be a Trustee of such hereditaments or personal estate, or any part thereof; and if any
10 person who shall be appointed such Trustee shall at any time thereafter become a convert to or profess the religious principles of any class or denomination different from the religious principles of the class or denomination for the promoting of whose education or worship, or for whose benefit any such property as aforesaid may be applicable, he shall thereupon be removed from being such Trustee
15 by the Lord Chancellor, for whom it shall be lawful, upon petition in a summary way, to appoint a fit person to be a Trustee to supply such vacancy; and all his estate, right, title and interest, power and authority in, to, over and upon such real and personal estate, shall thereupon vest, in like manner as if he had died, in the Trustee so
20 appointed, jointly with the other Trustee or Trustees: Provided always, That no use or trust for cleansing, lighting, paving or supplying with water any city, town or borough shall be deemed a charitable use or trust within the meaning of this enactment.

And be it Enacted, That from and after the time when this Act
25 shall come into operation in any Borough, the Body Corporate of such Borough shall be trustees for executing by the Council of such Borough the powers and provisions of all Acts of Parliament made before the passing of this Act (other than Acts made for securing charitable uses and trusts, or Acts relating to the supplying of the
30 City of Cork with water, with respect to which provision is hereinafter made), and of all trusts (other than charitable uses and trusts) of which the Body Corporate, or any member or members of the said Body Corporate in their corporate capacity, was or were sole trustees before the time of the first election of Councillors in
35 such Borough under this Act.

117.
Corporation
to execute
Trusts.

And be it Enacted, That from and after the time when this Act shall come into operation in any Borough in which any member of the Body Corporate, or any person elected from among or out of the members of such Body Corporate, or any person elected
40 by such Body Corporate, or a particular or limited number, class or description of members of the Body Corporate, shall be, when this Act shall so come into operation, Trustee solely or jointly with any other Trustee for the execution of any Act of Parlia-

118.
As to election
of a limited
number of
Councillors to
be joint Trus-
tees for cer-
tain purposes.

ment, or of any trust other than any act or trust for which any other provision is hereinbefore made, or by any statute, charter, bye-law or custom, shall be when this Act shall so come into operation lawfully appointed to or authorized to exercise any powers, duties or functions whatsoever not otherwise herein provided for, and the continuance of which is not inconsistent with the provisions of this Act, such acts, trusts, powers, duties and functions shall, after this Act shall have come into operation, be executed by the person who shall hereafter correspond in office with the person by whom the same ought to be executed, before this Act shall come into operation ; and in case there shall be no such person, then the Council of the Body Corporate shall, by writing under the seal of the Body Corporate, appoint the person who in their judgment shall most nearly correspond with such person, to execute such acts, trusts, powers, duties and functions ; and every person so appointed is hereby authorized and empowered to execute the same as fully as the person by whom the same ought to be executed, before this Act shall come into operation, until the appointment of another person in his room, as hereinafter provided : Provided always, That all powers and trusts not otherwise herein provided for which by any Act of Parliament or otherwise are vested in or exercised by any Body Corporate named in the said Schedule (B.) which shall be dissolved by virtue of this Act, or any member or members thereof in his or their corporate capacity, or any limited number, class or description thereof, or any person or persons elected from among or out of the members of such Body Corporate or any of them, or any person or persons elected by such Body Corporate or any member or members thereof, shall, upon the day on which such Body Corporate respectively shall be dissolved, and thenceforth until the grant of a Charter of Incorporation as hereinbefore directed, and the election of a Council thereunder, or until Parliament shall otherwise provide, be exercised in manner hereinafter mentioned ; (that is to say) such of the said powers as relate to the appointment of Justices of the Peace or Magistrates or to the appointment of other Officers for the administration of justice, or in anywise relating thereto, or to the appointment of Constables or other persons for purposes relating to Police, shall be exercised by the Lord Lieutenant as if he had been named in such Act of Parliament respectively instead of such Body Corporate, or member or members, person or persons, and all other of the said powers not otherwise herein provided for shall be exercised, alone, or together with such other persons (if any) as would have been entitled to join in exercising the same if this Act had not been passed, by the said Commissioners : Provided also, That in every case in which any Body Corporate named in the said Schedule (B.) to this Act annexed

Saving provisions of Local Acts in Towns in Schedule (B.)

Other Corporations of which any

which

which shall be dissolved by virtue of this Act, or any One or more of the members of such Body Corporate in his or their corporate capacity, or any limited number, class or description of the members thereof, or any person or persons elected from among or out of the members of such Body Corporate, or any person or persons elected by any such Body Corporate, or any member or members thereof, is any other Body Corporate, or part of, or is or are a member or members of any other Body Corporate for any charitable or public or other purpose, such other Body Corporate shall continue in force as if this Act had not been passed; and on the day of the dissolution of such Body Corporate respectively, and thenceforth until the grant of a Charter of Incorporation as hereinbefore directed, and the election of a Council thereunder, or until Parliament shall otherwise provide, where any Body Corporate named in the said Schedule (B.) to this Act annexed is such other Body Corporate or part thereof, then, instead of such Body Corporate, the said Commissioners, where there shall be such Commissioners, shall be members of such Body Corporate.

Body Corporate named in the Schedule, or any of its members, form part, to be continued.

And be it Enacted, That in every case in which any such person as aforesaid is, in pursuance of any such statute, charter, bye-law, custom, deed, will, or otherwise, elected or appointed for a definite term of years or other shorter term, then on the day or time named in such Act, charter, bye-law, deed or will as last aforesaid for a new election, nomination or appointment of Trustees, or on which such new election, nomination or appointment has usually been made; and if he shall have been so elected or appointed for life or for an indefinite period, or if there shall be no such day named or usually observed, then upon the first day of January in every year, some other person, or the same if re-eligible, shall be elected as nearly as may be in the like manner as the person ceasing to be Trustee, or ceasing to exercise such powers, duties and functions, and in whose room he shall be appointed, and in every case of extraordinary vacancy among such Trustees or persons, another person shall be elected to supply such vacancy in like manner as nearly as may be as such extraordinary vacancy would have been supplied before this Act shall have so come into operation as aforesaid; or where such vacancy cannot be supplied in such or the like manner, the Council shall forthwith appoint a person in the room of the person by whom such vacancy has been made, and every person appointed to supply an extraordinary vacancy shall hold his trust or office for such time as the person by whom such vacancy has been made would regularly have held it.

119.
Provision for the Election of future Trustees.

And be it Enacted, That notwithstanding any thing in this Act contained, every member of any Body Corporate or of any particular number, class or description of members of such Body Corporate, or any person elected from among or out of the members

120.
Present Trustees of certain Acts continued for a definite time.

of such Body Corporate or any of them, or any person elected by any particular number, class or description of members of such Body Corporate, who at the time of the passing of this Act shall be for a definite number of years or other shorter time a Trustee of such acts or trusts as last aforesaid, shall continue to be such Trustee until the time when he would have ceased to be such Trustee if this Act had not been passed; and if a Trustee for an indefinite time, or for life, or for so long as he shall be a member, or of a particular class or description of such Body Corporate, then until the First day of January in the year following that in which this Act shall come into operation in that Borough, and no longer; and every member of the Council appointed under the provisions of this Act to be a Trustee of such acts or trusts as last aforesaid, shall continue to be such Trustee until the time herein provided for the new appointment of a member of the Council to be Trustee in his room, notwithstanding that he may have ceased to be a member of the Council; and in case any particular officer of any of the said Bodies Corporate shall have been appointed by any Act, charter, bye-law, deed, will or custom as aforesaid, to perform during a definite number of years or other shorter time any specific trusts, powers, duties or functions whatsoever, the person who at the time of the passing of this Act shall be the person designated and qualified to perform the same, shall continue to perform the same until the time when he would have ceased to perform the same if this Act had not passed; and if appointed for an indefinite time, or for life, or for so long as he shall be a member, or of a particular class or description of such Body Corporate, then until the last-named First day of January, and no longer.

121.
Powers
vested in
Trustees may
be transferred
to Council-
lors.

AND whereas it may be expedient that the Powers now vested in the Trustees appointed under sundry Acts of Parliament for paving or lighting or cleansing, or supplying with Water, or improving certain Boroughs, or certain parts thereof, save and except as hereinafter mentioned, should be transferred to and vested in the Councils or Commissioners of such Boroughs respectively; BE it Enacted, That the Trustees appointed by virtue of any such Act as last aforesaid, wherein the Trustees, or the persons whose Trustees they may be, are not beneficially interested, or the greater part of such Trustees for the time being, may, if it shall seem to them expedient at a Meeting to be called for that purpose, transfer in writing all the powers vested in them as such Trustees by any such Act or Acts as aforesaid to the said Body Corporate of such Borough, or to the Commissioners acting under this Act for such Borough (as the case may be); and the said Body Corporate or Commissioners of such Borough shall thenceforth be Trustees for executing by the Council of such Borough, or by the Board of Commissioners (as the case may be), the

the several powers and provisions of any such Act or Acts of Parliament, and the members of the Council, or the Commissioners (as the case may be), shall have the same powers and be subject to the same duties as if their names had been originally inserted in such Act or Acts (or as if they had been elected under the provisions of any such Act or Acts) as such Trustees respectively : Provided always, That nothing herein contained shall extend to enable the Commissioners for paving, cleansing and lighting the streets of Dublin, or the Commissioners for making wide and convenient streets in the City of Dublin, or the Corporation for improving the Port and Harbour of Dublin, so to transfer the powers vested in them respectively.

AND whereas by an Act passed in the sixth year of the reign of his said late Majesty, intituled, " An Act to consolidate the Laws relating to the Constabulary Force in Ireland," it is among other things enacted, that it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland to appoint from time to time, at his will and pleasure, in and for each barony, half of barony, or other division of barony in each county at large, one Chief Constable, two Head Constables, and any number of Constables and Sub-constables not exceeding Sixteen : AND whereas the force thereby provided is less than may in some cases be required in Baronies which comprise large Towns : AND whereas it is reasonable that the expense of the additional Force required in such Towns should be borne by such Towns, and not by the Counties at large in which they are situated ; BE it therefore Enacted, That if any Council of any Borough named in the Schedule (A.) to this Act annexed shall think it necessary that an additional Constabulary Force should be stationed in such Borough above the proportion of the said Force therein stationed under the provisions of the said last-recited Act, it shall be lawful for the Council of such Borough to present a Memorial to the Lord Lieutenant, setting forth the additional Constabulary Force which is required for the said Borough ; and thereupon it shall be lawful for the Lord Lieutenant to add to the Constabulary Force of the County or Counties wherein such Borough shall be situated any such number of Constables, Sub-constables and Officers of the said Force, not exceeding the number required by the said Council in their Memorial, as he shall think fit ; and the amount of the Constabulary Force stationed in the said Borough shall be increased accordingly, and such additional Force shall form part of the general Constabulary Force, and be subject in all respects to the same rules and discipline as the residue of the said Force.

122.
Provision for
additional
Constabulary
Force.

And be it Enacted, That the expense of the said additional Force shall be advanced and defrayed in like manner as the expenses of the Force appointed by the last-recited Act are to be advanced and

123.
Payment of
the additional
Constabulary
Force.

defrayed : Provided however, That no part of the expense of such increased Force shall be borne by the County or Counties at large in which such Borough shall be situated ; but the said Borough for whose service the said increase shall be made shall bear such proportion of such expenses as the Counties at large under the said last-recited Act are bound to contribute towards the expenses of the Constabulary Force appointed for this service ; and such expenses shall be paid out of the Borough Fund, and shall be paid by the Treasurer of the Borough to the person authorized to receive the monies which the County at large in which such Borough shall be situated is liable to pay towards the expenses of the said Force ; and when any such Borough shall be situated in more than one County, then the Treasurer shall pay the said sums to such of the persons authorized to receive such payments from any of the said Counties as the Inspector-general of the Constabulary Force shall direct : Provided always, That it shall be lawful for the Lord Lieutenant, at any time he shall think fit, to reduce, either in the whole or part, the said additional Force ; and it shall be also lawful for the Council of the said Borough in which such additional Force shall have been stationed to present from time to time a Memorial to the Lord Lieutenant, stating that they are desirous that the said Force should be reduced in the whole or in part, and thereupon the Lord Lieutenant shall, within Twelve calendar Months from the presentation of the said Memorial, make the required reduction in the said Force.

124.
Power for
Council to
order parts
of Borough,
not within
Local Acts as
to lighting, to
be included in
such Act.

AND whereas parts of certain Boroughs are within the provisions of one or more Local Act or Acts for regulating the lighting thereof, and certain other parts of the same Boroughs are not within the provisions of any Local Act for regulating the lighting thereof, and for want of such lighting great facilities may be afforded for the commission of crimes and for the escape of the offenders ; FOR Remedy thereof, BE it Enacted, That it shall be lawful for the Council of any Borough in any part of which there is a Local Act for the lighting thereof, to make an order that any part of such Borough, not being within the provisions of any Local Act for the lighting thereof, shall, from and after a certain day to be named in such order, be taken to be within the provisions of such Local Act or Acts for lighting any part of such Borough as the Council shall specify in such order ; and after such day the part named in such order shall be within the provisions of the Act or Acts so specified, so far as relates to lighting, or to any rates authorized to be levied for the purpose of lighting, as fully as if such part had been originally named in such Act or Acts, any thing in such Act or Acts to the contrary notwithstanding : Provided always, That every part named in such order shall be lighted in the like manner as those parts which before the making of such order were within the provisions

Proviso as to
Amount of
Rate for
lighting.

visions of such Local Act, and that the Rate to be raised for the purpose of defraying the expenses of lighting any part so named in such order shall not exceed the average expense in the pound of the lighting of the other parts of such Borough.

And be it Enacted, That the Council of any Borough named in the said Schedule (A.) shall have and exercise on the First day of January next after this Act shall come into operation in such Borough the Powers given to the Commissioners under the said Act made in the ninth year of the reign of his Majesty King GEORGE the Fourth, intituled, "An Act to make Provision for the lighting, cleansing and watching of Cities, Towns Corporate, or Market Towns in Ireland, in certain cases," so far as relates to the lighting of such Borough, or of any such part thereof as shall not, by virtue of the provisions hereinbefore contained, be placed within the provisions of any Local Act for lighting the same, and the powers and duties vested in such Commissioners (if any) in regard to lighting shall thereupon cease and determine; but the Council shall and they are hereby authorized and required to levy rates for the purpose of lighting such part of the Borough, not according to the powers contained in the said Act of the ninth year of the reign of his Majesty King GEORGE the Fourth, but according to the provisions hereinafter contained for levying and raising a Borough Rate: Provided always, That the appeal given by the said Act to any person who may think himself aggrieved by any rate laid for the purpose of lighting, shall not be to the Council, but in like manner as appeals against the Borough Rate hereinafter mentioned.

125.
Council may
assume the
powers of
Commissioners under
9 G. 4. c. 82,
for lighting
Streets of
any Borough.

And be it Enacted, That it shall be lawful for the Council of any Borough to make such Bye Laws as to them shall seem meet for the good rule and government of the Borough, and for prevention and suppression of all nuisances as are not already punishable under any Act already in force throughout such Borough, and to appoint by such Bye Laws such fines as they shall deem necessary for the prevention and suppression of such offences: Provided, That no fine so to be appointed shall exceed the sum of Five Pounds, and that no such Bye Law shall be made unless at least Two-thirds of the whole number of the Council shall be present: Provided also, That no such Bye Law shall be of any force until the expiration of Forty Days after the same or a copy thereof shall have been sent, sealed with the Seal of the said Borough, to the Lord Lieutenant, and shall have been affixed on the outer door of the Town Hall, or in some other public place within such Borough; and if at any time within the said period of Forty Days the Lord Lieutenant, with the advice of the Privy Council of Ireland, shall disallow the same Bye Law, or any part thereof, such Bye Law, or the part thereof disallowed, shall not come into operation: Provided also, That it shall be

126.
Council to
have power
to make Bye
Laws.

lawful for the Lord Lieutenant at any time within the said period of Forty Days to enlarge the time within which such Bye Laws, if disallowed, shall not come into force, and no such Bye Law shall in that case come into force until after the expiration of such enlarged time: Provided further, That no Bye Law to be made by the Council of the Boroughs of Coleraine and Londonderry respectively shall be sent to the Lord Lieutenant until the same shall have been approved of by the Honourable Society of the Governor and Assistants of London of the New Plantation in Ulster within the Realm of Ireland.

127.
Bye Laws to
be printed.

And be it Enacted, That the Town Clerk of every Borough shall, under the directions of the Council thereof, cause all the Bye Laws and Regulations in force in such Borough from time to time to be printed in a uniform and convenient form, and shall keep copies thereof publicly affixed in the office of such Town Clerk, and in every public office and Court of such Borough of or belonging to or connected with the Corporation thereof, for the free and open inspection of all persons, without any fee, at all reasonable hours, and shall deliver a copy of such Bye Laws and Regulations to any person requiring the same, on payment of such reasonable price for the same as the Council shall from time to time direct; and if any person shall wilfully and maliciously pull down, destroy or deface any copy of such Bye Laws and Regulations which shall be so affixed as aforesaid, such person shall for every such offence forfeit and pay any sum not exceeding Twenty Shillings.

128.
As to breaches
of Bye Laws.

And be it Enacted, That all the provisions hereinafter contained relative to offences against this Act, punishable upon summary conviction, shall be taken to apply to all offences committed in breach of any Bye Law or Regulation made by virtue of this Act.

129.
All Corporate
Property and
all Fines to
be received
on account of
the Borough
Fund.

And be it Enacted, That after the election of the Treasurer in any Borough, the rents, issues and profits of all hereditaments, estates and tenements, and the interest, dividends and annual proceeds of all monies, dues, chattels and valuable securities, except those vested or continued in other Trustees as aforesaid, belonging or payable to the Body Corporate or reputed or late Body Corporate of that Borough, or to any member or officer thereof in his corporate capacity, and every fine or penalty for any offence against this Act (the application of which has not been herein provided for) shall be paid to the Treasurer of or acting for that Borough under this Act; and all the monies which he shall receive as such Treasurer shall be carried by him to the account of a fund to be called "The Borough Fund," or "The Town Fund," as the case may be.

And

And be it Enacted, That the Treasurer of any Borough shall pay no money on account of the Mayor, Aldermen and Burgesses of such Borough, or on account of the Commissioners acting for such Borough, under the provisions of this Act, save only in such case as is provided by this Act, or upon the order in writing of the Council or Commissioners signed by Three or more Members, and countersigned by the Town Clerk of such Borough, or for the payment of the salaries granted to any Recorder or Police Magistrate as hereinafter provided, or by order of the Court of Sessions of the Peace for the Borough, in such case as is provided by this Act, or in such case as a Court of Sessions of the Peace for any County may make an order for the payment of money on the Treasurer of such County, and that any Burgess or person qualified to vote at the election of such Commissioners shall be at liberty at all seasonable times to make a copy of any such order, or take an extract therefrom.

130.
Treasurer to pay no Money but by Order of Council.

AND whereas it is expedient to give all persons interested in the Borough Fund of any Borough a more direct and easy remedy for any misapplication of such Fund; BE it therefore Enacted, That any order of the Council or Commissioners of any Borough for the payment of any sum of money from or out of the Borough Fund of any such Borough may be removed into the Court of Queen's Bench in Ireland by Writ of Certiorari, to be moved for according to the usual practice of the said Court with respect to Writs of Certiorari, and that such order may be disallowed or confirmed upon motion and hearing, with costs, according to the judgment and discretion of the said Court.

131.
Orders for payment of Money may be removed into the Court of Queen's Bench in Ireland by Certiorari.

And be it Enacted, That the Borough Fund, subject to the payment of any lawful debt due from such Body Corporate to any person which shall have been contracted before the passing of this Act, and unredeemed, or of so much thereof as the Council of such Borough from time to time shall be required or shall deem it expedient to redeem, and to the payment from time to time of the interest of so much thereof as shall remain unredeemed, and saving all rights, interests, claims or demands of all persons or Bodies Corporate in or upon the real or personal estate of any Body Corporate, by virtue of any proceedings either at law or in equity, which have been already instituted or which may be hereafter instituted, or by virtue of any mortgage or otherwise, shall be applied towards the following purposes; (that is to say) the payment of the salary of the Mayor and of the Recorder and of the Police Magistrate hereinafter mentioned, when there is a Recorder or Police Magistrate, and of the respective salaries of the Town Clerk and Treasurer, and of every other Officer whom the Council shall appoint, and also toward the payment of the expenses incurred from

132.
Salaries of Recorder, Town Clerk, Treasurer, and other Officers and Election Expenses to be paid out of such Fund.

time to time in preparing and printing burgess rolls and notices, and in other matters attending such elections as are herein mentioned; and towards the expense of providing and maintaining the Corporate Buildings; and towards the payment of all other expenses which shall be necessarily incurred in carrying into effect the provisions of this Act; and in case the Borough Fund shall be more than sufficient for the purposes aforesaid, the surplus thereof shall be applied under the direction of the Council, for the public benefit of the inhabitants and improvement of the Borough.

133.
Tolls or Dues payable before the passing of this Act not to be altered or reduced until payment of the Debt chargeable thereon.

Provided always, and be it Enacted, That it shall not be lawful for the Council to be elected under the provisions of this Act in any Borough in which the Body Corporate named in conjunction with the said Borough in the said Schedule (A.) before the time of the passing of this Act, shall have contracted any lawful debt lawfully chargeable on any tolls or dues belonging or payable to the said Body Corporate, or to any member or officer thereof in his corporate capacity, or towards the satisfaction whereof such tolls or dues or any part thereof were lawfully applicable before the passing of this Act, to alter or reduce the amount to be levied and payable of such tolls or dues, or to grant for any consideration any remission of or exemption from such tolls or dues, or any part thereof, unless with the consent in writing under the hands of a majority in number and amount of the creditors to whom such debt is due, until after such debt and all arrears of interest due thereon shall have been fully paid and satisfied: Provided also, That the said Commissioners of any Borough shall be and they are hereby empowered, to abolish any tolls forming part of the Town Fund of such Borough, after full payment or satisfaction of all debts and charges upon the said tolls, or to which they may be liable, which it may be thought desirable to abolish, and also to purchase any tolls which it may be thought desirable to purchase, in order that the same may be abolished, and after the conveyance thereof to them to abolish the same; and the said Commissioners shall cause notice to be given of the abolition of all such tolls as shall be abolished as aforesaid, by advertisement in the Dublin Gazette, and also in one or more newspaper or newspapers usually circulated in the town in which such tolls respectively shall be payable.

Commissioners may abolish Tolls.

134.
Council authorized to raise Funds for payment of Expenses incurred in carrying this Act into execution.

And be it Enacted, That in case, after payment of all debts due from such Body Corporate, and contracted before the passing of this Act, and after satisfaction of all lawful claims upon the real and personal estate of such Body Corporate, the Borough Fund shall not be sufficient for the purposes aforesaid, or in case there shall be no Borough Fund, the Council of the Borough is hereby authorized and required

required from time to time to estimate, as correctly as may be, what amount, in addition to such fund, or when there shall be no such fund, will be sufficient for the payment of the expenses to be incurred in carrying into effect the provisions of this Act; and in order to raise the amount so estimated, and also for the purpose of defraying the expenses of putting this Act into execution which may have been incurred before the making of any Borough Rate, the said Council is hereby authorized and required from time to time to order a Borough Rate to be made within their Borough, and for that purpose the Council of such Borough shall have within their Borough all the powers and authorities which any Commissioners in any Borough in Ireland have within the limits of their Commission by virtue of the said last-recited Act of the ninth year of the reign of his Majesty King GEORGE the Fourth, and shall observe and preserve the provisions thereof as if the same were herein recited, or as near thereto as the nature of the case will admit; except that every such Rate shall be and is hereby authorized to be assessed and levied and raised from and off the owners, occupiers or tenants of all hereditaments rateable for the relief of the destitute Poor in Ireland, in an equal and uniform manner, according to the yearly value at which the same shall be estimated for the purpose of a Rate for the relief of the destitute Poor within such Borough, and whether the same shall or shall not be under the yearly value of Five Pounds: Provided always, That such persons only shall be liable to pay the Borough Rate in respect of hereditaments under the value of Five Pounds, who shall be rated in respect thereof to a rate for the relief of the destitute poor within such Borough, and subject to the provisions contained in the said Act for the relief of the destitute poor in Ireland, with reference to property of which the net annual value shall not amount to Five Pounds; and all such sums levied in pursuance of such Borough Rate shall be paid over to the account of the Borough Fund.

And be it Enacted, That if any person shall think that any estimate or valuation made for levying any rate for the purposes of this Act is erroneous, either as being an excessive estimate of property belonging to him, or an insufficient estimate of property belonging to another, it shall be lawful for such person, at any time after the expiration of Twenty Days next after the making and publishing of such rate, to appeal against such estimate, and he shall in that case before the expiration of such Twenty Days deliver to the Town Clerk of such Borough a notice signed by him, specifying for which of the said objections to such estimate he complains; and such appeal shall be heard and determined in every Borough in which there shall be a Recorder under this Act, by the Recorder of the Borough at the sitting of his court, held next after the expiration of

135.

Appeal to the Recorder or Assistant Barrister of the county.

such Twenty Days ; and when there shall be no such Recorder, it shall be heard and determined by the Assistant Barrister of the county having jurisdiction to hear and determine suits by civil bill for the district in which the property estimated shall be situated, at the sessions held for such district next after the expiration of such
 5
 Twenty Days ; and such Recorder or Barrister shall have power to award to or against the person appealing such costs, not exceeding Ten Shillings, as he shall think fit, and to issue a decree against the party appealing for any costs awarded against him, which shall have the force of a decree in a suit by civil bill, and, in case he shall
 10
 award costs to be paid to him, to make an order on the Treasurer of such Borough to pay the sum out of the Borough rate, which order the said Treasurer shall obey, and the determination of such Recorder or Barrister shall be conclusive : Provided, however, That no such Recorder or Barrister shall entertain such appeal without proof that
 15
 such notice as aforesaid was given ; and provided also, That he shall not have power to inquire into any objection to such estimate, save the one specified in such notice ; and that if such appeal shall not be prosecuted effectually by the person appealing, the estimate shall be taken to be conclusive, notwithstanding such notice. 20

136.
 Act not to render Corporate Property liable for Debts not chargeable thereon, nor to authorize the levy of new Rates for payment of Debts.

And be it Enacted, That nothing in this Act contained shall be construed to render liable to the payment of any debt contracted before this Act shall come into operation in any Borough by any Body Corporate any part of the real or personal estate of the said Body Corporate which before this Act shall have so come into
 25
 operation was not liable thereto, or to authorize the levy of any rate within any part of any Borough for the purpose of paying any debt contracted before the passing of this Act, which before the passing of this Act could not lawfully be levied therein towards the payment of the same. 30

137.
 Accounts of Receipts and Disbursements to be kept, audited and published.

And be it Enacted, That the Treasurer of every Borough shall, in Books to be kept for that purpose, enter true accounts of all sums of money by him received and paid on account of the purposes of this Act, and of the several matters for which such sums shall have been paid ; and the books containing such accounts shall
 35
 at all reasonable times be open to the inspection of the Mayor or any of the Aldermen or Councillors or Commissioners of such Borough ; and it shall be lawful for the Mayor or for any Alderman or Councillor or Commissioner, at all seasonable times, to make any copy of or take any extract from any such book ; and all the
 40
 accounts, with all vouchers and papers relating thereto, shall, in the months of March and September in every year, be submitted by the Treasurer of the Borough to the Auditors hereinbefore provided to be elected, and to such member of the Council or Board of Commissioners

Commissioners as the Mayor or Chairman shall name as a third Auditor, on the First day of March in every year, or in case of extraordinary vacancy within Ten Days next after such vacancy, for the purpose of being examined and audited, from the First day of September in the year preceding to the First day of March, and from the First day of March to the First day of September in the year in which the said Auditors were elected and named; and if the said accounts shall be found to be correct, the Auditors shall sign the same; and after such accounts shall have been so respectively examined and audited in the month of September in every year, each Treasurer shall make out in writing, and shall cause to be printed, a full abstract of his accounts for the year, and a copy thereof shall be open to the inspection of all the Rate-payers of such Borough, and copies thereof shall be delivered to all Rate-payers of such Borough applying for the same, on payment of One Shilling for each copy.

And be it Enacted, That the Council of every such Borough in which this Act shall be in operation, and the Commissioners or Guardians of the Poor of every Town in which any Commissioners or Guardians of the Poor shall act, by virtue of the provisions herein contained, shall, before the First day of February in each year, transmit to the Lord Lieutenant a statement of all monies received and expended on account of such Corporation or Commissioners or Guardians of the Poor (as the case may be) under this Act, or in anywise relating to the Borough Fund or Town Fund of such Borough within the year preceding, which statement shall be prepared in such form and manner as the Lord Lieutenant shall direct, and such accounts shall refer and be made up to the audit next before the First of January of the year in which such account is hereby required to be so transmitted; and an abstract of such statements and accounts, under general heads, shall be laid before both Houses of Parliament, during their sitting, in the same year in which they are hereby required to be transmitted as aforesaid; and a copy thereof shall be deposited with the Town Clerk or with such person resident in such town as such Commissioners or Guardians shall appoint to execute the duties of Town Clerk therein, and shall be open to the inspection of all the inhabitants of such borough or town, and copies thereof shall be delivered to all inhabitants of such borough or town applying for the same, on payment of One Shilling for each copy.

138.
Councils to transmit yearly Accounts of Income and Expenditure to Lord Lieutenant, and an Abstract thereof to be laid before Parliament, and published.

AND whereas by an Act passed in the third year of his late Majesty King GEORGE the Fourth, intituled, "An Act for amending the several Acts in force for making wide and convenient Streets,

139.
Provision for auditing Accounts of the Cork Wide-street Commissioners.

197. and in the said Act it is enacted, That the said Streets, Ways

Ways and Passages in the City of Cork and the Suburbs thereof, and for paving, cleansing, lighting, and otherwise improving the said City, and for regulating the Court of Conscience established therein," it was enacted, That on the day of the annual appointment of the Auditors of the Accounts of the Mayor, Sheriffs and Common-
 alty of the City of Cork in the Court of D'Oyer Hundred of the said City, Auditors should be also then chosen to examine and audit the Accounts to be kept by the said Commissioners and their suc-
 cessors, and to examine into the application and expenditure of the money to be received by them, and that such Accounts, when
 audited, together with the Report of the Auditors, should be an-
 nually laid before the said Court of D'Oyer Hundred, and a general Abstract of such Accounts should be printed, and should also be
 published in some One or more newspaper or newspapers circulated in the said city; BE it therefore Enacted, That the Auditors to be
 appointed by virtue of this Act in the Borough of Cork shall have and exercise all such powers of examining and auditing the
 Accounts kept by the Commissioners and their successors appointed or acting under the said Act, as, if this Act had not been passed, might be exercised by Auditors chosen as directed by the said
 recited Act; and such Accounts, when audited, together with the Report of the Auditors, shall annually be laid before the Town
 Council of the said Borough; and a general Abstract of such Accounts shall be printed, and shall also be published in some One
 or more newspapers circulated in the said Borough.

140.
 Remedy for
 misappli-
 cation of
 Property.

AND whereas many of the said Municipal Corporations in Ireland have been and now are seised and possessed of or entitled to divers lands, tenements and hereditaments, and the same have been granted to them and ought to be vested in them for the public benefit of the said Boroughs respectively; and it is expedient to make further
 provision than now by law exists for preventing or remedying the waste and misapplication of such property, and of all other property which may hereafter be so granted to or acquired by Municipal Corporations or any Commissioners or Guardians of the Poor acting under the provisions of this Act for municipal purposes; BE it
 Enacted, That in case of waste or misapplication of any such property, or of any breach of trust in respect thereof, or wherever the direction, decree or order of a court of equity shall be deemed necessary for the due administration and application of any such property, it shall be lawful for Her Majesty's Attorney General for
 Ireland, or for any Two or more Burgesses of such Borough, or persons qualified to vote at any election of any Commissioners or Guardians acting under this Act in such Borough, to present a petition to the Court of Chancery, or to the Court of Exchequer in
 Ireland, stating such complaint, and praying such relief as the nature

nature of the case may require; and it shall be lawful for the Lord Chancellor, or the Master of the Rolls, for the time being, and for the Court of Exchequer, and they are hereby required to hear such petition in a summary way, and to direct all such persons as they shall consider necessary to answer to same, and if necessary to issue a commission for the examination of witnesses, and on their depositions, or upon affidavits or such other evidence as shall be produced upon such hearing, to determine the same, and to give such relief and make such order therein, and with respect to the costs of such application, and to enforce the same by injunction or otherwise, as to him or them shall seem just; and such order shall be final and conclusive, unless the party or parties who shall think himself or themselves aggrieved thereby shall, within Two Years from the time when such order shall have been passed and entered by the proper officer, have preferred an appeal from such decision to the House of Lords, to whom it is hereby declared and enacted that an appeal shall lie from such order: Provided always, That neither the petitions, nor any proceedings upon the same or relative thereto, nor the copies of any such petitions or proceedings, shall be subject or liable to the payment of any stamp-duty, charge for Chancery or other Court Fund, or other public charge whatever, save only the actual expense of making a copy when any copy shall be required from any of such courts.

Proceedings
not liable to
Stamp Duty.

And be it Enacted, That it shall not be lawful for any Body Corporate of any Borough named in the said Schedule (A.), or any Commissioners or Guardians of the Poor or body so incorporated in any Borough named in the said Schedules (B.) and (I.), or either of them respectively, at any time after the passing of this Act, to sell, mortgage or alienate the lands, tenements and hereditaments of the said Body Corporate, or any part thereof, except in pursuance of some covenant or contract or agreement bonâ fide made or entered into on or before the Fifth day of June in the year One thousand eight hundred and Thirty-five, by or on behalf of the Body Corporate of any Borough, or of some Resolution duly entered in the Corporation Books of such Body Corporate on or before the said Fifth day of June, or to demise or lease, except in pursuance of some covenant, contract or agreement bonâ fide made or entered into on or before the said Fifth day of June by or on behalf of such Body Corporate, or in pursuance of some resolution duly entered in the Corporation Books of such Body Corporate on or before the said Fifth day of June, except in the cases hereinafter mentioned, any lands, tenements or hereditaments of such Body Corporate, or any part thereof, or to enter into any new contract or agreement, except in the cases hereinafter mentioned, for demising or leasing the said lands, tenements and hereditaments, or any part thereof, for any term

141.
Power of sale
and leasing
restrained.

Provision in
certain cases
of leasing.

exceeding Thirty-one Years from the time when such lease shall be made, or if made in pursuance of a previous agreement, then from the time when such agreement shall have been entered into; and in every lease which the said Council, Commissioners or Guardians are not hereby restrained from making there shall be reserved and made payable, except in the cases hereinafter mentioned, during the whole of the term thereby granted, such clear yearly rent as to the Council, Commissioners or Guardians shall appear reasonable, without taking any fine for the same: Provided always, That in all cases in which any Body Corporate shall on the Fifth day of June in the year One thousand eight hundred and Thirty-five have been bound or engaged by any covenant or agreement, express or implied, or have been enjoined by any deed, will or other document, or have been sanctioned or warranted by ancient usage, or by custom or practice, to make any renewal of any lease for years, or for life or lives, or for years determinable with any life or lives, at any fixed or determinate or known or accustomed period, or after the lapse of any number of years, or on the dropping of any life or lives, at a fine certain, or under any special or specific terms or conditions, and also in all cases in which any Body Corporate shall theretofore have ordinarily made renewal of any lease for years or for life or lives, or for years determinable with any life or lives, at any fixed or determinate or known or accustomed period, or after the lapse of any number of years, or upon the dropping of any life or lives, upon the payment of an arbitrary fine, it shall be lawful for the Council, Commissioners or Guardians of such Borough to renew such lease for such term or number of years, either absolutely or determinable with any life or lives, or for such life or lives, and at such rent, and upon the payment of such fine or premium, either certain or arbitrary, and with or without any covenant for the future renewal thereof, as such Body Corporate could or might have done in case this Act had not been passed: Provided also, That any such demise or lease to be made by the Guardians of the Poor otherwise than in pursuance of such covenant, contract or agreement as aforesaid, shall be made with the consent of the Poor Law Commissioners.

142.
Commis-
sioners of
Treasury may
authorize
other disposi-
tions.

And be it Enacted, That in every case in which such Council, Commissioners or Guardians shall deem it expedient to sell and alienate, or to demise and lease for a longer term than Thirty-one Years, or upon different terms and conditions than those hereinbefore mentioned, any of the said lands, tenements or hereditaments, it shall be lawful for such Council, Commissioners or Guardians to represent the circumstances of the case to the Commissioners of Her Majesty's Treasury; and it shall be lawful for such Council, Commissioners or Guardians, with the approbation of the said Commissioners or any Three of them, to sell, alienate and demise any of the lands, tenements

tenements and hereditaments of the said Body Corporate in such manner and on such terms and conditions as shall have been approved by the said Commissioners: Provided always, That notice of the intention of the Council, Commissioners or Guardians to make
 5 such application as aforesaid shall be fixed on the outer door of the Town Hall, or in some public or conspicuous place within the Borough, One calendar Month at least before such application; and a copy of the Memorial intended to be sent to the said Commissioners shall be kept in the Town Clerk's office during such
 10 calendar Month, and shall be freely open to the inspection of every Burgess, or person entitled to vote at the election of such Commissioners, or Rate-payer of the Borough, at all reasonable hours during the same.

Provided nevertheless, and be it Enacted, That in any of the
 15 instances hereinafter mentioned, it shall be lawful for the Council, Commissioners or Guardians from time to time to demise and lease, or to enter into any contract or agreement for demising and leasing, either at a reserved rent or fine, or both, as the Council, Commissioners or Guardians shall think fit, any of the said lands,
 20 tenements or hereditaments to any person, body politic, corporate or collegiate, for any term not exceeding Seventy-five Years from the time of making such lease or agreement; (that is to say) of tenements or hereditaments the greater part of the yearly value of which shall at the time of making the lease or agreement consist
 25 of any building or buildings, or of land or ground proper for the erection of any houses or other buildings thereupon, with or without gardens, yards, curtilages or other appurtenances to be used therewith; and where the lessee or intended lessee shall covenant or agree to erect a building or buildings thereon of
 30 greater yearly value than such land or ground, or land or ground proper for gardens, yards, curtilages or other appurtenances, to be used with any other house or other building erected or to be erected on any ground, belonging either to such Body Corporate or to any other proprietor, or proper for any other purpose
 35 calculated to afford convenience or accommodation to the occupiers of any such house or building: Provided always, That such demise, lease, contract or agreement shall, if made or entered into by the Guardians of the Poor, be so made or entered into with the consent of the Poor Law Commissioners.

40 And be it Enacted, That it shall be lawful for the Council, or any Commissioners or Guardians of the Poor first to be elected or to act in any Borough under the provisions of this Act to call in question all purchases, sales, leases and demises not made in pursuance of some such bonâ fide covenant, contract, agreement or resolution made and entered into as aforesaid before the said Fifth day

143.
 Leases of certain Buildings, and of Ground for building on, or for making Gardens, &c. may be made for Seventy-five Years.

144.
 Collusive Purchases, Sales and Demises of Corporate Property since the 5th June 1835, for undue consideration, may be set aside.

of June, and all contracts for the purchase, sale, lease or demise of anylands, tenements and hereditaments, and all divisions and appropriations of the monies, goods and valuable securities, or any part of the real or personal estate, of which on or before the said Fifth day of June the Body Corporate of which they are the Council, 5 Commissioners or Guardians, whether in their own right or as Trustees for charitable or other purposes, was seised or possessed, which shall have been made or contracted between the said Fifth day of June and the day of the declaration of their election; and for that purpose, if it shall appear to the said Council, Commissioners or Guar- 10 dians that there is ground for believing that any such purchase, sale, lease or demise, or such contract or such division or appropriation of the premises, was collusively made for no consideration, or for an inadequate consideration, it shall be lawful for the Council, Commissioners or Guardians of such Borough, at any time within 15 Twelve calendar Months next after such first Election or acting under this Act in such Borough, upon notice of their intention being first given in the Dublin Gazette, and also affixed on the outer door of the Town-hall or in some public place within the Borough, to cause the value of the lands, tenements, heredita- 20 ments and premises in question to be inquired of and found by a Jury of Twelve indifferent men of the County in which or adjoining to which in the case of all Counties of Cities and Towns Corporate, such lands, tenements, hereditaments or premises do lie: Provided always, That any such proceedings, if taken by 25 the Guardians, shall be so taken with the consent of the Poor Law Commissioners.

145.
Proceedings
before the
Jury.

And be it Enacted, That the Council, Commissioners or Guardians shall be empowered to summon and call before such Jury all persons having the custody and possession of any deed or agreement con- 30 cerning the said lands, tenements, hereditaments and premises made or entered into since the said Fifth day of June, and to cause all such deeds and agreements to be produced before the said Jury, and examined by them, and to examine upon oath every person who shall be thought necessary to be examined (which oath the Mayor 35 is hereby empowered to administer); and the Council, Commissioners or Guardians shall, by ordering a view or otherwise, use all lawful means for the information as well of themselves as of the said Jury in the premises; and the Jury shall find the value of the said lands, tenements, hereditaments and premises, and the consi- 40 deration which shall have been given, and also that which ought of right to have been given, for the purchase, sale, lease, demise or appropriation thereof, according to the terms of such purchase, sale, lease, demise, contract or appropriation, and taking into account all the circumstances under which the same shall have taken place; and

and if the Jury by their oaths shall find that no consideration, or a consideration less than that which they shall have so found to be the value which ought therefor to have been given, shall have been collusively given or contracted to be given by the terms of any such purchase, sale, lease, demise, contract or appropriation, the party to such purchase, sale, lease, demise, contract or appropriation shall have his option either to re-convey and restore the lands, tenements, hereditaments and premises in question, and to abandon the contract to which he shall have been party, upon receipt in each case of the consideration, if any, which he shall have given for the same, or to give in each case such additional consideration, so that the whole consideration given shall be that which ought of right to have been given so found by the Jury as aforesaid; and in every such case as last aforesaid, the additional consideration given or to be given shall be indorsed on the original deed or conveyance, and unless he shall so do within One calendar Month next after the finding of the Jury, every such purchase, sale, lease, demise, contract and conveyance shall be absolutely void and of none effect as against the said body corporate, Commissioners or Guardians, and their successors; and in every case in which any such contract shall have been abandoned as aforesaid; or in which any such purchase, sale, lease, demise, contract or conveyance shall become void and of none effect, under the provisions of this Act, the party who would otherwise have had the benefit of the same shall be remitted to his former estate, title and interest (if any) in the premises as if no such contract, purchase, sale, lease or demise had been made or entered into; and for summoning and returning such Juries, and for imposing fines on the Sheriff, his deputy, bailiff or agent, and on the persons summoned and returned on the said Jury, and on any person required to give evidence, who shall in this behalf contravene the provisions of this Act, the Council, Commissioners or Guardians of every such Borough shall have all the powers which the Superior Courts of Record in Dublin have; and all the costs of the said Jury, and of all witnesses tendered by the said Council, Commissioners or Guardians to be examined before the said Jury, shall in every case be borne by the Council, Commissioners or Guardians, and paid out of the Borough Fund.

Provided nevertheless, and be it Enacted, That it shall be lawful for the Lord Lieutenant of Ireland for the time being, if he shall think fit, by the advice of the Privy Council, upon petition to him or them setting forth the special circumstances under which any purchase, sale, lease, demise, contract, or appropriation of any of the said lands, tenements, hereditaments, and premises shall have been made since the Fifth day of June, to order that the same shall not be called in question under the provisions of this Act; and in such case as last

aforesaid the same shall not be called in question or set aside or affected under the provisions of this Act ; and in every case in which such petition shall have been presented it shall be lawful for the Lord Lieutenant for the time being, if he shall think fit, to enlarge the time within which (in case he shall not think fit to make such order as aforesaid) the Council, Commissioners or Guardians may have power as aforesaid to call in question any purchase, sale, lease, demise, contract, or appropriation referred to in such petition. 5

147.
This Act not
to give vali-
dity to any
disposition of
Lands.

And be it Enacted, That nothing herein contained shall be construed to give or shall give any effect or validity to any sale, demise or other disposition of or any agreement relating to any lands, tenements, hereditaments, or other property which at any time belonged to any Corporate Body, but that the validity of such agreement, sale, demise or other disposition shall be liable to be questioned in any Court of Law or Equity by the Council, Commissioners or Guardians of the Borough, or any Burgess, Voter, Rate-payer, or Freeman or other person, as fully as if this Act had not been passed. 10 15

148.
Sale of Advowsons, &c.

And be it Enacted, That in every case in which a Body Corporate, or any particular class, number or description of members, or the governing Body of any Body Corporate, now is or are in their corporate capacity, and not as charitable trustees, according to the meaning and provisions of this Act, seised or possessed of any manors, lands, tenements or hereditaments whereunto any Advowson or right of nomination or presentation to any Benefice or Ecclesiastical Preferment is appendant or appurtenant, or of any Advowson in gross, or hath or have any right or title to nominate or present to any Benefice or Ecclesiastical Preferment, every such Advowson, and every such right of nomination and presentation shall be sold at such time and in such manner as the Ecclesiastical Commissioners for Ireland may direct, so that the best price may be obtained for the same; and it shall be lawful for the Council, Commissioners or Guardians of such Body Corporate, and they are hereby authorized and required, with the consent of the said Commissioners, or any Three or more of them, in writing under their hands, to convey and assure, under the Common Seal of such Body Corporate, Commissioners or Guardians, such Advowson or such right of nomination or presentation as aforesaid, to the purchaser or purchasers thereof respectively, his or their heirs, executors, administrators and assigns, or to such uses as he or they shall direct; and the proceeds of every such sale shall be paid to the Treasurer of the Borough, or of the Guardians respectively, whose receipt shall be a sufficient and effectual discharge to the purchaser or purchasers to whom the same shall be given for the amount of his or their purchase money; and it shall be lawful for the Council, Commissioners or Guardians of such Borough to direct that 20 25 30 35 40

that such purchase money, or any part thereof, shall be applied towards the liquidation of any debt contracted before the passing of this Act by the Body Corporate now seised of or entitled to the property so sold, and if it shall not be so applied it shall be invested
5 in Government securities for the use of the Body Corporate, Commissioners or Guardians, as in case of other property under this Act, and the annual interest payable thereon shall be carried to the account of the Borough Fund: Provided always, That in case of
10 any vacancy arising before any such sale shall have taken place and been completed, such vacancy shall be supplied by the presentation or nomination of the Bishop or Ordinary of the diocese in which such Benefice or Ecclesiastical Preferment is situated: Provided always, That nothing in this Act shall extend to
15 any Advowson or right of nomination or presentation to any Benefice or Ecclesiastical Preferment, or to any Advowson in gross belonging to the Society of the Governor and Assistants of London of the new Plantation in Ulster, within the realm of Ireland.

And be it Enacted, That the several provisions contained in an Act passed in the last Session of Parliament, intituled, "An
20 Act for facilitating the Sale of Church Patronage belonging to Municipal Corporations in certain cases," shall, so far as the same are applicable, be extended to every right of nomination similarly circumstanced which shall at the time of passing this Act be vested in any Municipal Corporation in Ireland, or in any member of such
25 Corporation in virtue of his office as such, and every such right of nomination shall become a Benefice Presentative, and the Curate or Minister presented thereto shall be a Body Politic and Corporate.

149.
Certain Provisions of 1 & 2 Vict. c. 32, extended to Ireland.

Provided always, and be it Enacted, That the Body Corporate called "The Warden and Vicars Choral of the Royal College or
30 Collegiate Church of Galway" shall continue in force unless and until the same shall be dissolved by the said Ecclesiastical Commissioners in manner hereinafter mentioned; and the Vicars Choral of the said College or Collegiate Church shall respectively continue to be such Vicars Choral during their respective lives, or until they
35 respectively shall resign or be removed from such Benefices respectively, or the said College shall be dissolved in manner hereinafter mentioned; and that any resignation made by the said present Warden and Vicars Choral, or any of them, of their respective Benefices, to the Bishop of Tuam for the time being, shall be
40 valid and effectual; and the said Ecclesiastical Commissioners shall and they are hereby authorized and empowered, if they shall think proper, by any instrument in writing under their Corporate Seal, with the consent of the Lord Lieutenant and of Her Majesty's Privy Council in Ireland in Council assembled (Six at least consenting),

150.
Provision respecting the Warden and Vicars Choral of Galway.

and with the consent of the Bishop of Tuam, to declare that the said College and Collegiate Church of Galway shall be dissolved upon the death, resignation or removal of the said present Warden; and that the Rectories and Vicarages which now belong to the said College or Collegiate Church of Galway, shall thereupon be divided into such separate and distinct benefices or parishes as they shall think proper; and that all Rent-charges in lieu of Tithes, or portions or parcels of such Rent-charges, churches, churchyards and burial places, and other the revenues, profits and emoluments now belonging to the said College or Collegiate Church of Galway, shall be divided among and united to the said distinct parishes or benefices respectively as they shall direct; and that such persons as shall be Vicars Choral of the said College or Collegiate Church at the time of such dissolution shall become the Incumbents of such of the said distinct parishes and benefices respectively as the said Ecclesiastical Commissioners shall thereby direct; and if such dissolution shall be made as aforesaid, the said College or Collegiate Church shall be dissolved upon the death, resignation or removal of the said present Warden; and the said Vicarages and Rectories shall thereupon become distinct benefices and parishes accordingly; and each of the persons who at the time of such dissolution shall be a Vicar Choral of the said College or Collegiate Church shall thereupon by virtue of this Act, and without any presentation, induction, institution or other ceremony, become Rector or Vicar of the distinct benefice or parish of which such Vicar Choral shall be directed as aforesaid to become the Rector or Vicar; and the advowson, right of presentation and nomination to the said offices of Warden and Vicars Choral of the said College or Collegiate Church of Galway, or in case the same shall be dissolved as aforesaid, the advowson or right of nomination or presentation to each of the distinct benefices or parishes into which the Rectories and Vicarages aforesaid shall be divided, shall be sold by the Council of Galway, with the consent of the said Ecclesiastical Commissioners, and the purchase-money shall be applied in like manner as in the case of any other advowson is hereby directed to be sold, and they are hereby empowered to make a valid grant and conveyance thereof to any purchaser or purchasers accordingly; and in case of the dissolution of the said College or Collegiate Church, all the Ecclesiastical Jurisdiction and powers belonging thereto, or to the Warden thereof, shall be and are hereby vested in the Bishop of Tuam for the time being.

151.

In Cities and Towns which are Counties, Sheriffs to be appointed.

And be it Enacted, That in each of the Counties of the Cities of Cork, Dublin, Kilkenny, Limerick and Waterford, and in the Counties of the Towns of Carrickfergus, Drogheda and Galway, the Council shall name Three fit persons to the Lord Lieutenant, before the Twenty-ninth day of September in the year following the year in which

which this Act shall come into operation in each of the said Cities and Towns respectively, and in every succeeding year, and the Lord Lieutenant, if he think fit, may appoint One of the Three persons so named to execute the office of Sheriff, or, instead of appointing
5 any One of the Three persons so first-named, the Lord Lieutenant, if he think fit, may require the Council to name to him Three other persons, and may, if he think proper, appoint One of the Three persons so last named to him to execute the office of Sheriff, or in case the Council shall neglect or refuse to make either nomination as aforesaid,
10 or in case the Lord Lieutenant shall disapprove of all the Six persons so named to him, it shall be lawful for the Lord Lieutenant to appoint a fit person to execute the office of Sheriff; and every person so appointed shall have the like duties and powers, and shall continue in his office for the like time, as if such person had been duly ap-
15 proved of by the Lord Lieutenant and Privy Council by order under their hands, pursuant to the rules, orders and directions made and established by the Lord Lieutenant and Council in the Twenty-fifth year of the reign of his late Majesty King CHARLES the Second, for such Cities, Towns and Counties respectively, and as any Sheriff or
20 person filling the office of Sheriff in such City, Town and County respectively would have had and held if this Act had not been passed, and shall continue in his office for One whole year, from the Twenty-ninth day of September, unless removed by the Lord Lieutenant; and in case a vacancy shall be occasioned in the office of Sheriff of
25 such Borough during such period, by the death of the person who shall have been appointed to such office, or his removal, another fit person shall be appointed in like manner to be the Sheriff, instead of the person so dying or removed, who shall hold such office for the period during which the person so dying, or removed as aforesaid,
30 would have held it, and so from time to time as occasion may require.

And be it Enacted, That every person who at the time when this Act shall come into operation in any of the said Cities or Towns shall hold the office or execute the duties of Sheriff in the said Counties of Cities and Towns respectively, shall hold and execute
35 the same until the first appointment of a Sheriff therein under the provisions of this Act, and no longer: Provided always, That if when this Act shall come into operation in any of the said Counties of Cities or Towns there shall be a Sheriff or Sheriffs elect, he or they shall come into office at the same period as if this Act had not
40 been passed, and shall hold his or their office until the appointment of a Sheriff in that City or Town under this Act: Provided also, That if this Act shall come into operation in any such City or Town at any time after the Twenty-eighth day of August, and before the Twenty-ninth day of September in any year, the Sheriff of the County of that

152.
Provision for
the continu-
ance in office
of existing
Sheriffs.

City or Town shall be before the Twenty-ninth day of September in the same year appointed by the Lord Lieutenant of Ireland, without any nomination by the Council being requisite; and in the town of Carrickfergus, until the nomination and appointment of a Sheriff for that town pursuant to the provisions hereinbefore contained, the Sheriff of that town shall be, before the Twenty-ninth day of September in every year, appointed by the Lord Lieutenant of Ireland, without any nomination being requisite. 5

153.
City and
County of
Londonderry
to be a
County, the
Sheriff of
which to be
nominated by
the Crown.

And be it Enacted, That after the passing of this Act a Sheriff of the County named the City and County of Londonderry, shall be nominated and appointed by the Lord Lieutenant of Ireland, in the same manner to all intents and purposes as the Sheriff of any other County at large in Ireland is now nominated and appointed; and until the Sheriff first to be nominated and appointed for the said City and County of Londonderry, under the provisions of this Act, shall enter upon his office, the persons who at present fill the office of Sheriffs of the said City and County of Londonderry, or the survivor of them, shall be and remain the Sheriffs or Sheriff of the City and County of Londonderry, and shall fulfil and execute the duties of the said office. 10 15 20

154.
In certain
Boroughs
Council to
appoint a
Coroner.

And be it Enacted, That the Council of every Borough in which a separate Court of Quarter Sessions of the Peace shall be holden, as is hereinafter provided, shall, within Ten Days next after the grant of the said Court shall have been signified to the Council of such Borough, appoint a fit person, not being an Alderman or Councillor, to be Coroner of such Borough so long as he shall well behave himself in his office of Coroner, and shall fill up every vacancy in the office of Coroner of the Borough occurring by death, resignation or removal, within Ten Days next after such vacancy, and none thereafter shall take any inquisition which belongs to the office of Coroner within such Borough, save only the Coroner so from time to time to be appointed; and in such of the said Boroughs as are not Counties of Cities or Counties of Towns, every such Coroner, for every inquisition which he shall duly take within such Borough, shall be entitled to have the sum of Twenty Shillings, to be paid by the Treasurer out of the Borough Fund of such Borough, by order of the Court of Quarter Sessions for such Borough: Provided always, That no person shall be elected as Coroner as aforesaid who shall not be seised or possessed of such an estate in some part of Ireland as would qualify him to serve as a Coroner for a County according to the Acts now in force in Ireland in relation to the office of Coroner; and every such person shall, before he acts as such Coroner, take and subscribe all oaths now required to be taken by 25 30 35 40

by a Coroner in Ireland, and shall be liable to be removed by the Court of Chancery in Ireland in the same manner as any Coroner in Ireland may now be removed by that Court: Provided always, That in every such Borough as is a County of a City, or County of a Town, every Coroner now authorized to act therein shall be re-appointed by the Council, without regard to the estate of which he may be seised or possessed: Provided also, That every Coroner of every such Borough as is a County of a City, or County of a Town, shall be paid and remunerated in such manner, and out of such funds, as the Coroner or Coroners of each such County of a City, or County of a Town, is or are now paid or remunerated respectively, and not otherwise.

And be it Enacted, That on or before the Tenth day of January in every year after the passing of this Act, every Coroner appointed in any Borough shall make and transmit to the Lord Lieutenant of Ireland a return in writing, according to such form as the said Lord Lieutenant from time to time shall direct, of all the cases in which he may have been called upon to hold an Inquest touching the cause of death of any person during the year ending on the Thirty-first day of December immediately preceding, and a copy of the finding of the Jury on every such Inquest.

155.
Coroners to
make Returns
to Lord
Lieutenant.

And be it Enacted, That in every Borough in and for which no separate Court of Sessions of the Peace shall be holden, no person, after the First day of December next after the first election of Councillors under this Act in that Borough, shall take any Inquisition which belongs to the office of Coroner within such Borough, save only the Coroner for the County at large in which such Borough is situated; and in every Borough in which a Coroner shall not be elected and acting under this Act the Coroner for the County in which such Borough is situated, and in case of a County of a City or Town the Coroner of the adjoining County, or any of them, shall take any Inquisition which could be taken by a Coroner elected under this Act, and have all the powers and authorities of such Coroner; and such Coroners of Counties at large, and the Coroners of each County of a City and County of a Town, shall be entitled to be paid for the Inquisitions which they shall duly take as aforesaid in manner now provided for by law, and not otherwise.

156.
County
Coroners to
act in other
Boroughs.

And be it Enacted, That in case of illness or unavoidable absence, the Coroner for the time being of any Borough, Town or City in Ireland shall be empowered and he is hereby required, by writing under his hand and seal, to appoint a fit person, being an Attorney of One of Her Majesty's Courts in Dublin, and not being an Alderman or Councillor of such Borough, Town or City, to act for

157.
Coroners of
Boroughs, in
certain cases,
may appoint
Deputies.

him as Deputy Coroner during the illness or unavoidable absence of such Coroner, but no longer or otherwise: Provided always, That the Mayor or Two Justices of such Borough, Town or City shall on each occasion certify under their hands and seals the necessity for the appointment of such Deputy Coroner, and such certificate shall state the cause of absence of the Coroner, and shall be openly read to every Inquest Jury summoned by such Deputy Coroner, and the particulars of every Inquest holden before any Deputy Coroner shall be included in the return to be made by the Coroner to the Lord Lieutenant as herein provided. 10

158.

Commission of Justices of Peace to be issued for certain Boroughs.

And be it Enacted, That it shall be lawful for Her Majesty from time to time to assign to so many persons as She shall think proper Her Majesty's commission to act as Justices of the Peace in and for each Borough named in the said Schedule (A.), to which Her Majesty may be pleased to grant a commission of the peace, and also in and for the Town of Carrickfergus: Provided nevertheless, That every person so to be assigned shall reside within the Borough for which he shall be so assigned, or within Seven Miles of such Borough, or of some part thereof, during such time as he shall act as a Justice of the Peace in and for such Borough. 15 20

159.

Council may make Bye-laws on which the Crown may appoint salaried Justices.

And be it Enacted, That if the Council of any Borough named in the said Schedule (A.) shall think it requisite that a salaried Police Magistrate or Magistrates be appointed within such Borough, such Council is hereby empowered to make a Bye Law, fixing the amount of the salary which he or they are to receive in that behalf; and such Bye Law so made by any Council as aforesaid shall be transmitted to the Lord Lieutenant of Ireland, and the Lord Lieutenant thereupon shall be authorized to appoint so many fit persons as are specified in the said Bye Law (being Barristers-at-Law of not less than Six Years' standing) to be during Her Majesty's pleasure Police Magistrate or Magistrates and a Justice or Justices of the Peace for such Borough, and to direct that such sum shall be paid quarterly out of the Borough Fund of such Borough as will be sufficient to pay such yearly salary to each of the Justices so assigned as last aforesaid, not exceeding in the whole the salary mentioned in the prayer of such petition, clear of all fees or deductions, as to the Lord Lieutenant shall seem fit; and the Treasurer of such Borough shall thereupon pay to each Justice so assigned as last aforesaid, out of the Borough Fund of such Borough, the salary so directed to be paid, by Four equal quarterly payments, and in the same proportion up to the time of the death of such Justice, or his ceasing to act under 25 30 35 40

under such assignment as aforesaid: Provided, That in every case of vacancy of the office of Police Magistrate in any Borough aforesaid, no new appointment of Police Magistrate in such Borough shall be made until the Council shall again make application to the
 5 Lord Lieutenant in that behalf, as in the case of the first appointment of a Police Magistrate in such Borough.

And be it Enacted, That the Council of every Borough to which a separate Commission of the Peace shall be granted under the provisions of this Act shall be authorized and required to provide and
 10 furnish One or more fit and suitable Office or Offices, to be called "The Police Office" or Offices of the Borough, for the purpose of transacting the business of the Justices of the Borough, and to pay from time to time, out of the Borough Fund, such sums as may be necessary for providing, upholding and furnishing, and for the
 15 necessary expenses of such Police Office or Offices; and the Council of every such Borough shall, in case the Borough Fund shall not be sufficient, or in case there shall be no Borough Fund, have the power of including in and paying out of the Borough Rate of such Borough such sum as shall be required for providing, upholding and
 20 furnishing and for the necessary expenses of such Police Office or Offices; and no room in any house licensed as a victualling-house or alehouse shall be used for the purpose of any such Police Office.

160.
 Council to
 provide a
 Police Office.

And be it Enacted, That every person assigned to keep the peace within any Borough under the provisions of this Act, or any of
 25 them, shall, during the continuance of such assignment, execute the duties of a Justice of the Peace in and for the Borough for which he shall have been so assigned, although such person may not be a Burgess of the Borough in and for which he shall have been assigned, to act as a Justice of the Peace, and although he may not have such
 30 qualification by estate as is required by law in the case of other persons being Justices of the Peace for a County, so nevertheless that such person be not disqualified by law to act as a Justice of the Peace for any other cause or upon any other account than in respect of estate.

161.
 Justices need
 not be qua-
 lified by
 Estate.

And be it Enacted, That every Summons for the appearance of any person, or Warrant to compel such appearance, or Warrant for the apprehension of any person charged with any offence, or Search
 35 Warrant issued by any Justice of the Peace acting in and for any Borough in any matter within his Jurisdiction, may be respectively served and executed within any County in which the said Borough
 40 shall be situated, or within any distance not exceeding Seven Miles from such Borough, and within such limits as aforesaid, shall have

162.
 How far
 Summonses
 and Warrants
 may be en-
 forced.

the same force and effect as if the same had been originally issued or subsequently indorsed by a Justice of the Peace having jurisdiction in the place where the same shall be served or executed, any law, statute, charter or usage to the contrary notwithstanding; and every such Summons and Warrant shall and may be lawfully served 5 or executed within such limits as aforesaid by the Constable to whom the same shall be directed, or by any Constable or other Peace Officer of the County, Borough, Parish or Place in which the person named in such Summons or Warrant may be.

163.
Justices to
appoint a
Clerk, who
shall not be
the Town
Clerk or of
the Council,
nor be con-
cerned in the
prosecution of
Offenders
committed by
the Borough
Justices.

And be it Enacted, That it shall be lawful for the Justices of every 10 Borough in which a separate Commission of the Peace is continued or shall be granted under this Act, at their first or any other meeting, and they are hereby respectively required, to appoint a fit person to be the Clerk to the Justices of such Borough, to be removable at their pleasure, and so as often as there shall be a vacancy in the said 15 office of Clerk to the Justices by death, resignation, removal or otherwise: Provided, That it shall not be lawful for the said Justices to appoint or continue as such Clerk to the Justices any Alderman or Councillor of such Borough, or Clerk of the Peace of such Borough, or the partner of such Clerk of the Peace, or any clerk or 20 person in the employ of such Clerk of the Peace: Provided also, That it shall not be lawful for the said Clerk to the Justices, by himself or his partner, to be directly or indirectly interested or employed in the prosecution of any offender committed for trial by the Justices of whom he shall be such Clerk as aforesaid, or any of 25 them, at any Court of Gaol Delivery or General or Quarter Sessions; and any person being an Alderman or Councillor, or Clerk of the Peace of any Borough, or the partner or clerk or in the employ of such Clerk of the Peace, who shall act as Clerk to the Justices of such Borough, or shall otherwise offend in the premises, shall for 30 every such offence forfeit and pay the sum of One hundred Pounds, one moiety thereof to the Treasurer of such Borough, to be paid over to the credit and account of the Borough Fund of such Borough, and the other moiety thereof, with full costs of suit, to any person who will sue for the same in any of Her Majesty's Courts of Record 35 in Dublin.

164.
Recorder to
be appointed
by Her Ma-
jesty in
certain Bo-
roughs.

And be it Enacted, That the Council of every Borough, except the City of Dublin, which shall be desirous that a separate Court of Quarter Sessions of the Peace, or a Court of Record for the trial of Civil Actions, shall be or continue to be holden in and for such 40 Borough, shall signify the same by petition to the Lord Lieutenant and Privy Council in Ireland, setting forth the grounds of the application, and the salary which they are willing to pay to the Recorder

Recorder in that behalf; and it shall be lawful for Her Majesty, if She shall be pleased, thereupon to grant that a separate Court of Quarter Sessions of the Peace, or a Court of Record for the trial of Civil Actions, shall thenceforward be holden in and for such Borough, and the Lord Lieutenant may appoint for such Borough, or for any Two or more of such Boroughs conjointly, a fit person, being a practising Barrister-at-Law of not less than Six Years' standing, who shall be and be called the Recorder of such Borough or Boroughs, and shall hold such office during his good behaviour; and the Lord Lieutenant upon any vacancy in any such office, may appoint another fit person, being a practising Barrister-at-Law of not less than Six Years' standing, to be the Recorder in the place of the person so making such vacancy; and it shall be lawful for the said Lord Lieutenant to direct that an annual salary, not exceeding the sum stated in the petition of the Council, shall be paid to such Recorder by the Treasurer of such Borough out of the Borough Fund, except that no salary or emolument (other than fees) shall be paid to the Recorder of the said town of Carrickfergus, and that Her Majesty may grant that a Court of Quarter Sessions of the Peace and a Court of Record for the Trial of Civil Actions, or either of them, shall be or continue to be holden in and for that town without any petition for that purpose having been made to the Lord Lieutenant and Privy Council in Ireland: Provided always, That in every such Borough in and for which a separate Court of Sessions of the Peace, or a Court of Record for the Trial of Civil Actions, is now holden, and of which the present Recorder or Deputy Recorder is a Barrister of Six Years' standing, such Recorder or Deputy Recorder being qualified as aforesaid, shall be continued or appointed a Recorder under the provisions of this Act, and shall be paid out of the Borough Fund, the salary now payable to the Recorder by the Corporate Body, or such increased salary as shall have been signified and directed as aforesaid: Provided also, That the expenses of the prosecution, maintenance and punishment of offenders committed from the Borough for trial at the Sessions of the Peace for such Borough, shall be defrayed in such manner as such expenses are now defrayed with respect to offenders committed for trial at the Sessions of the Peace now having jurisdiction within such Borough-respectively, and out of such funds as are now by law applicable to defray the same.

40 And be it Enacted, That the Recorder of the City of Dublin and his successors in that office shall have all such powers and authority as are now vested in the Sessions Court of the City of Dublin, or in the Recorder or Lord Mayor of the said City, either solely or jointly with any other member or members of the Corporation of the Lord Mayor, Sheriffs, Commons and Citizens of the City of Dublin; and if the Recorder of Dublin for the time being shall vacate his said

165.
Recorder of
the City of
Dublin.

office, the Lord Lieutenant shall appoint a fit person, being a practising Barrister-at-Law of not less than Six Years' standing, to be Recorder in lieu of the Recorder so vacating the said office; and the Recorder so from time to time appointed shall have the like powers and authorities as are hereby given or continued to the said Recorder of Dublin; and the Recorder of Dublin for the time being shall be entitled to such salary as any Recorder of Dublin would be entitled to if this Act had not been passed, and out of the same funds, subject, however, to the powers and provisions of any Act or Acts now in force in relation to the salary or emoluments of such Recorder, and shall hold office during good behaviour, and every such Recorder shall hold a Court of Sessions of the Peace in and for the City of Dublin as hereinbefore and in Schedule (C.) to this Act annexed defined, at such times and within such intervals as the Court of Sessions of the Peace is or ought to be holden in the said City, or at such other and more frequent times as the said Recorder in his discretion may think fit, or as the Lieutenant shall from time to time think fit to direct, and shall sit as sole Judge in such Court.

166.
Existing
Courts of
Record in
Boroughs in
Schedule (B.)
to be con-
tinued until
determined
by the Lord
Lieutenant.

AND whereas in several of the Boroughs named in the said Schedule (B.) there are Courts of Record for the Trial of Civil Actions, and such Courts, when well regulated, have been found useful to the inhabitants of the said towns; BE it Enacted, That from and after the passing of this Act all the powers, authorities, usages and jurisdiction of any existing Court of Record in every town named in the said Schedule (B.) to this Act annexed, in which the Body Corporate named in conjunction with the said Borough in the said Schedule shall be dissolved by virtue of this Act, whether the same shall have been established by usage, statute or otherwise, shall continue in the same manner as if this Act had not been passed, until the Lord Lieutenant shall think proper to determine the same; and at any time it shall be lawful for the Lord Lieutenant, by an order under his hand, to declare that any such Court shall be discontinued at a time to be mentioned in such order, and to be not less than Two calendar Months after the date of such order; and every such order shall be advertised in the Dublin Gazette; and at the time appointed for that purpose in such order, such Court of Record, and all powers, authorities and jurisdictions thereof, shall wholly cease and determine, save only as to the execution of any decrees or orders of the said Court theretofore lawfully made; and the present Judge and other Officers of the said Court shall, during the continuance thereof, remain in their respective offices, notwithstanding he, they or any of them may have ceased to hold any office by virtue of which he or they shall be such Judge or Officer or Officers; and upon any future vacancy in the office of Judge of any such Court, the Lord Lieutenant shall appoint

appoint a fit person, being a Barrister of not less than Six Years' standing, to be Judge of such Court during the continuance thereof and his good behaviour, and upon any vacancy in any other office belonging to such Court the Judge of the Court shall appoint a fit person to supply such vacancy.

And be it Enacted, That the Recorder for the time being of any Borough, as well of Dublin as of any other Borough, shall be a Justice of the Peace of and for such Borough, although he may not have such qualification by estate as is required by law in the case of any other person being a Justice of the Peace for a county; and such Recorder shall have precedence in all places within the Borough of which he may be the Recorder next after the Mayor thereof: Provided always, That no person being such Recorder as aforesaid shall be eligible to serve in Parliament for such Borough, nor shall he be an Alderman, Councillor or Police Magistrate of such Borough; but nothing in this Act contained shall be construed to disqualify any such Recorder from being eligible to sit in Parliament otherwise than is herein provided: Provided also, That in case of sickness or unavoidable absence, the Recorder of any Borough shall be empowered under his hand and seal, with the consent of the Lord Chancellor, Keeper or Commissioners of the Great Seal in Ireland for the time being, to appoint a Deputy Recorder, being a practising Barrister of Six Years' standing, to act for him at the Sessions of the Peace then next ensuing, and in such Court of Record, for any time not exceeding Three calendar Months, and no longer or otherwise.

167.
Recorder to
be a Justice of
the Peace for
the Borough.

Provided nevertheless, and be it Enacted, That no Recorder or person assigned as aforesaid to keep the peace within any such Borough, shall be capable of acting as Recorder or Justice of the Peace within such Borough until he shall have taken the oaths provided to be taken by Justices of the Peace, except any oath as to qualification by estate, and until he shall have made before the Mayor, or before any Two or more of the Aldermen or Councillors of such Borough, or if there shall not be any Mayor, Alderman or Councillor, before any Justice of the Peace for the County in which such Borough shall be situate, or any adjoining County, (who is and are hereby authorized and required to administer the same), a Declaration in the following form; (that is to say)

168.
Justices to
make Decla-
ration before
acting.

" I, A. B., do hereby declare, That I will faithfully and impartially execute the Office of Recorder [or, Justice of the Peace for the Borough of], according to the best of my judgment and ability."

169.

Sessions of the Peace to be held for the Borough, of which the Recorder is to be the sole Judge.

And be it Enacted, That the Recorder of every Borough continued or appointed under this Act shall hold once in every quarter of a year, or by adjournment or otherwise, at such other and more frequent times as the said Recorder in his discretion may think fit, or as the Lord Lieutenant shall from time to time think fit to direct, a 5 Court of Quarter Sessions of the Peace in and for such Borough, of which Court the Recorder of such Borough shall sit as the sole Judge; and such Court of Quarter Sessions of the Peace shall be a Court of Record, and shall have cognizance of all crimes, offences and matters whatsoever cognizable by any Court of Quarter Sessions of the Peace for Counties in Ireland; and the said Recorder shall have power to do all things necessary for exercising such jurisdiction, notwithstanding his being such sole Judge, as fully as any such last-mentioned Court: Provided nevertheless, That no Recorder by virtue of his office shall have power to grant any license for the sale 15 of Beer, Cider or Spirits, or exercise any of the powers herein specially vested in the Council of such Borough: Provided also, That all powers and authorities which may now by law be exercised by Justices at Quarter Sessions with reference to the granting or obtaining of Licenses for the sale of Beer, Cider or Spirits, shall be 20 exercised by the Justices of the Peace having jurisdiction as such within such Borough, not being engaged in any such trade, and shall be exercised by them in Petty Sessions at such time and place as shall be appointed by such Justices or the major part of them by public notice, such notice to be posted on or near the Town Hall, and near 25 every place of religious worship within such Borough, Ten clear Days before such Justices shall meet as heretofore, and any expenses of granting such Licenses shall not be defrayed out of the Borough Fund.

Justices to exercise Jurisdiction as to Licenses.

170.

Mayor, in the absence of the Recorder, may open and adjourn the Court.

And be it Enacted, That in the absence of the Recorder and 30 Deputy Recorder the Mayor shall be authorized and required, at the proper times appointed for the holding of such Court of Sessions of the Peace in and for such Borough, to open the said Court, and to adjourn over the holding of the same, and to respite all recognizances conditioned for appearing at the same until such further day as such Mayor then and there and so from time to time shall cause to be proclaimed: Provided nevertheless, That nothing in this Act contained shall authorize or require any such Mayor to sit as a Judge of the said Court for the trial of offenders, or to do any other act in the character of a Judge of such Court, save only in opening and adjourn- 40 ing the said Court, and respiting the said recognizances in manner aforesaid: Provided also, That in the town of Carrickfergus, until the grant of a Charter of Incorporation, and the election of a Council under the provisions of this Act, and that in the absence of the Recorder and Deputy Recorder the Clerk of the Peace or other

other person discharging the duties of that office, and the Registrar of the Court of Record, instead of the Mayor, shall and they are hereby respectively authorized to open and adjourn over the said respective Courts, and to respite recognizances conditioned for
5 appearing at the same.

And be it Enacted, That after the First day of January in the year following that in which this Act shall come into operation in any Borough, all powers and jurisdictions to try treasons, capital felonies, and all other criminal jurisdictions whatsoever, granted or
10 confirmed by any law, statute, letters patent, grant or charter whatsoever to any Mayor, Bailiff, Alderman, Recorder or other Corporate or Chartered Officer or Corporate or Chartered Justice of the Peace whomsoever in that Borough, except the Recorder of Dublin, and all right of any Body Corporate in that Borough, or any
15 of the members thereof, by virtue of any law, statute, letters patent, grant or charter whatsoever, to elect or nominate any Justices to keep the peace in or for any Borough, or by any members of any such Corporate Body, to act as such Justices of the Peace in or for any Borough other than is herein declared, shall cease: Provided
20 nevertheless, That nothing in this Act contained shall be construed to restrain or prevent the holding of any Court of Gaol Delivery or General or Quarter Sessions of the Peace in and for any Borough for which such Court may now be holden, until the said First day of January, but every such Court may be holden in like manner
25 and with the same powers until the said First day of January, as if this Act had not been passed.

171.
Capital Juris-
dictions, and
all other
Criminal
Jurisdictions
in Boroughs,
other than
are specified
in this Act,
abolished.

And be it Enacted, That after the last-named First day of January every person who shall then stand committed to take his trial at any Court of Gaol Delivery, General or Quarter Sessions of the Peace
30 for any Borough, charged with any offence which the Recorder of such Borough, after the said First day of January, will not have the jurisdiction to try, may be lawfully removed and committed to the Gaol or House of Correction of the County in which or adjoining to which such Borough is situated, there to remain and take his
35 trial at the next Court of Quarter Sessions for such County, if the offence is cognizable by a Court of Quarter Sessions, and if not, then before the Judges of Oyer and Terminer and Gaol Delivery at their next circuit; and all persons bound by recognizance to prosecute and give evidence against such offenders shall be bound to appear
40 to prosecute and give their evidence at the Court at which such offenders shall be tried as aforesaid; and all such recognizances, and all depositions relating to such charges, shall be transmitted to the proper officer of the Court where such offenders shall be tried; and the Sheriff, Under Sheriff, Gaolers and other Officers of the County

172.
Offenders
committed to
Borough
Sessions
whose juris-
diction is
taken away,
to be tried in
the adjoining
County.

in which such offenders shall be so tried are hereby authorized and required in every such case to receive every prisoner so committed to their custody, and him safely to keep until delivered by due course of law; and the Judges of Assize and others named in Her Majesty's Commissions of Oyer and Terminer and Gaol Delivery, or the Justices for the County, as the case may be, in which such offenders shall be tried, are hereby authorized and required to hear and determine all such cases, and to order the payment of the usual and fit expenses of the prosecutors and witnesses, and all other costs and expenses which in like case may be directed to be paid by order of the Court.

173.
County Jus-
tices to have
Jurisdiction
in all Bo-
roughs which
have not a
separate Court
of Sessions of
the Peace.

And be it Enacted, That after the last-named First day of January the Justices assigned or hereafter to be assigned to keep the peace in and for the county in which any Borough is situated, to which Her Majesty shall not have granted that a separate Court of Sessions of the Peace shall be holden in and for the same, shall exercise the jurisdiction of Justices of the Peace in and for such Borough as fully as by law they and each of them can or ought to do in and for the said County; and no part of any Borough in and for which a separate Court of Quarter Sessions of the Peace shall be holden shall be within the jurisdiction of the Justices of any County from which such Borough before the passing of this Act was exempt, any law, statute, letters patent, charter, grant or custom to the contrary notwithstanding: Provided also, That it shall be lawful for every Justice of the Peace of any such Borough as last aforesaid (not being a Stipendiary or Police Magistrate) to attend from time to time with the Justices of the Peace in and for any such County as last aforesaid, and with the Cess-payers associated with them, to hold Special or Presentment Sessions for the purposes, in the places and at the times, appointed according to the provisions of the Act passed in the Session of Parliament held in the sixth and seventh years of the reign of his late Majesty King WILLIAM the Fourth, intituled, "An Act to consolidate and amend the Laws relating to the Presentment of Public Money by Grand Juries in Ireland," or any Act for the amendment thereof, and to do all acts in respect of such Special or Presentment Sessions as fully as any Justice of the Peace in and for the said County by law can or ought to do, so as that such Special or Presentment Sessions are held within such Borough or within Seven Miles of such Borough or some part thereof.

174.
Chartered
Admiralty
Jurisdictions
abolished.

And be it Enacted, That from and after the passing of this Act, so much of all laws, statutes and usages, and so much of all royal and other charters, grants and letters patent heretofore granted

granted to any Borough, or any Body Corporate in any Borough, whereby such Borough, or any place within the precincts or liberties of the same, or such Body Corporate, or the freemen or inhabitants of the same, claims or claim to be exempted and
 5 released from the jurisdiction and office of the Lord High Admiral of England, or of the High Court of the Admiralty of England or Ireland, or whereby any such Body Corporate, or any Mayor, Bailiff, Recorder, Steward or other chartered or corporate Officer of any Borough, has or claims any thing belonging to the office of Admiral,
 10 whether or not to be exercised by virtue of any Commission to them or any of them to be directed, shall be and the same is hereby repealed.

And be it Enacted, That in every Borough to which Her Majesty shall have granted, or in which there shall continue
 15 to be a separate Court of Sessions of the Peace, or a Court of Record for the trial of Civil Actions as aforesaid, there shall be holden or continue to be holden a Court of Record for the trial of Civil Actions; and the Recorder of such Borough shall be the sole Judge of such Court, and in all cases where by charter or custom
 20 there is or ought to be holden such a Court of Record shall have jurisdiction to hold and continue such Court for the purpose of disposing of all causes pending therein before or at the time of the appointment of such Recorder, at such times and places, and with such rules and practice, and with the same powers and jurisdiction
 25 as belonged to the said Court at the time of the passing of this Act; and in all other causes such Recorder shall have jurisdiction to proceed either by process of attachment of goods or by serviceable process, according to the provisions hereinafter contained, with authority to try, in a summary way as hereinafter provided,
 30 actions of assumpsit, covenant and debt, whether the debt be by specialty or on simple contract, and all actions of trespass or trover for taking goods and chattels, provided the sum or damages sought to be recovered shall not exceed Twenty Pounds, and either the cause of action shall have accrued within such Borough,
 35 or the defendant or one of the defendants shall be resident therein, and also all actions of ejectment between landlord and tenant, wherein the annual rent of the premises of which possession is sought to be recovered shall not exceed Twenty Pounds; and also to try, according to the course of the common law, actions of
 40 assumpsit, covenant and debt, whether the debt be by specialty or on simple contract, and all actions of trespass or trover for taking goods and chattels, provided the sum or damages sought to be recovered shall not exceed Fifty Pounds, and the cause of action shall have accrued within such Borough; and such actions shall

175.
Jurisdiction
of Court of
Record.

not be removed or removable to any of Her Majesty's Superior Courts by writ of certiorari or any other process, save writ of error after judgment, where the proceeding is according to the course of the common law : Provided also, That every such Judge respectively from time to time may make rules for regulating the practice and pleading of such Court over which he presides, but so that no such rules shall be of force until they shall have been allowed and confirmed by the Judges of Her Majesty's Court of Queen's Bench in Dublin, or any Three of them : Provided also, That nothing in this Act shall abridge, alter or affect the jurisdiction of any Assistant Barrister, or Chairman, or the Recorder of the City of Dublin, in any proceeding by Civil Bill under any Act or Acts of Parliament now in force in Ireland. 5 10

176.

Appointment of Clerk of the Crown or Clerk of the Peace.

And be it Enacted, That in every Borough being a County of a City or County of a Town, wherein the office of Clerk of the Crown or Clerk of the Peace is now by law in the appointment of the Corporation of such Borough, or any member or officer thereof, or the Court of Quarter Sessions or Justices of such Borough, or held by any officer of any such Corporation in right of his office, and in every Borough not being a County of a City or County of a Town, to which a separate commission of the peace shall be granted, it shall and may be lawful for the Lord Lieutenant to grant from time to time to any person the offices of Clerk of the Peace and Clerk of the Crown of such Borough, or either of them ; and the Clerk of the Peace of the County of Londonderry and the Coroners of the said County shall, whenever after the passing of this Act such offices respectively shall become vacant, be appointed and elected in the same manner as the Clerk of the Peace and Coroner of any other County at large in Ireland : Provided always, That nothing herein contained shall prejudice or affect any right which any person may have to any such office, by reason of any appointment of any such Court or Justices heretofore made, in case such Court or Justices were entitled to make the same. 15 20 25 30

177.

Appointment of Officers of Court of Record, &c.

And be it Enacted, That in any Borough wherein there shall be a Court of Record for the trial of civil actions, the Council shall appoint such other officers and servants as are necessary for carrying on the business and executing the process of such Court ; and that no Registrar or other officer of such Court shall by himself or his partner practise as an Attorney in such Court. 35

178.

Existing Suits not to abate by reason of the change of Jurisdiction.

And be it Enacted, That no suit commenced in any Court of Record in any Borough before the passing of this Act shall abate by reason of any change that shall have been worked in the constitution 40

stitution of such Court by the provisions of this Act ; but that the same may be heard and determined as if it had been commenced before such Judge, according to the provisions hereinbefore contained in that behalf.

5 And be it Enacted, That from and after the time when this Act shall come into operation in any Borough, including the City of Dublin, every person being a Burgess of any Borough wherein there shall be a separate Court of Sessions of the Peace, or a Court of Record for the trial of civil actions, (who would be qualified to
10 serve on a jury, according to the provisions of an Act passed in the session of Parliament holden in the third and fourth years of the reign of his late Majesty King WILLIAM the Fourth, intituled, " An Act for consolidating and amending the Laws relative to Jurors and Juries in Ireland,") shall be qualified and liable to serve on
15 Grand Juries in such Borough, and also upon Juries for the trial of all issues joined in any Court of Sessions of the Peace and in any Court of Record for the trial of civil actions, triable within the Borough of which such person shall be a Burgess ; and the Clerk of the Peace of every such Borough shall give public notice of the time and place
20 of holding every such Sessions of the Peace Ten Days at least before the holding thereof, and in Boroughs being Counties of Cities or Counties of Towns, the Sheriff thereof, and in other Boroughs the Clerk of the Peace thereof, shall, Seven Days at the least before the holding thereof, cause to be summoned a sufficient number of persons,
25 being qualified and liable as aforesaid to serve as Grand Jurors at such Sessions ; and in Boroughs being Counties as aforesaid the Sheriff, and in other Boroughs the Clerk of the Peace and Registrar of the Court of Record respectively, shall also cause to be summoned not less than Thirty-six nor more than Sixty persons so liable and qualified
30 as aforesaid to serve as Jurors at every such Sessions, and at the holding of every such Court of Record for the trial of causes ; and such summons shall be made by showing to the person to be summoned, or in case he shall be absent from the usual place of his abode by leaving with some person therein inhabiting, a note in
35 writing under the hand of such Sheriff, Clerk of the Peace, or Registrar respectively, containing the substance of such summons ; and such Sheriff or Clerk of the Peace respectively shall make out a list of the names of such persons so summoned as Grand Jurors ; and such Sheriff, Clerk of the Peace, or Registrar respectively, shall
40 also make out a panel of such persons so summoned other than Grand Jurors ; and such list and panel shall respectively contain therein the christian names and surnames, places of abode, and descriptions of the several persons therein named ; and if any person having been duly summoned to attend on any Jury shall not attend in pursuance of such summons, or, being thrice called, shall not

^{179.}
Who to be
Jurors.

3 & 4 W. 4,
c. 91.

Fine for non-
attendance.

answer to his name, or after his appearance wilfully withdraw himself from the presence of the Court, the Court shall impose such fine upon every person so making default (unless some reasonable excuse shall be proved to the satisfaction of the Court) as the Court shall think meet; and if any person on whom such fine shall be imposed shall refuse to pay the same to the person who shall be authorized by the Court to receive the same, it shall be lawful for the Court, then or at its next sitting, by order of the Court, signed by the Clerk of the Peace or Registrar respectively, to cause to be levied, by distress and sale of the goods of the person on whom such fine shall have been imposed, every such fine and the reasonable charges of such distress and sale; and every fine so received shall be paid to the Treasurer of the Borough, to be by him carried to the account of the Borough Fund hereinbefore mentioned: Provided nevertheless, That no person shall be summoned and compelled to serve as a Juror at such Sessions or Court of Record oftener than once in any One Year, unless every person qualified and liable to serve shall have been summoned once during that year.

180.
Justices, &c.
exempt from
serving on
Juries.

And be it Enacted, That after the time when this Act shall come into operation in any Borough, every member of the Council for the time being of the Borough, and Justice assigned to keep the peace therein, and every Officer of Police therein, and the Treasurer and Town Clerk for the time being of every such Borough, shall be exempt and disqualified from serving on any Jury summoned within such Borough respectively, save and except the Juries summoned for an Assize or Gaol Delivery.

181.
Proceedings
by Attach-
ment in Court
of Record.

And be it Enacted, That in all cases of debt or liquidated damages, in which the plaintiff shall be desirous of proceeding in the Court of Record of any Borough, by way of attachment of goods, the plaintiff, or one of the plaintiffs, or some person able to depose to the facts of his own knowledge, shall first make affidavit before the Recorder or the Mayor (who is hereby empowered to take such or any other affidavits in the said Court) of the cause of action, and that the same has accrued within such Borough, or else, where the debt or damages do not exceed Twenty Pounds, that the defendant, or one of the defendants, is resident therein (describing such defendant by his name, addition, and residence particularly), and that the deponent is apprehensive that such debt or damages is or are in danger of being lost to the plaintiff, unless aided by process of the said Court to attach the goods of the defendant, and thereupon it shall be lawful for such Recorder or Mayor to issue an Attachment directed to the proper officer of the Court to be appointed in that behalf as aforesaid, requiring him, according

According to the Form Number 1, in Schedule (E.) to this Act annexed, to attach the goods of the defendant within the Borough, and thereupon such officer is hereby authorized and required to seize such goods, and to detain the same until the defendant shall have given special bail to pay such sums of money as may be adjudged to the plaintiff in that suit, which bail may be taken either by the Recorder or by the Mayor of such Borough: Provided always, That in any Borough in which by usage or charter the goods, monies or credits of the defendant, may by process of foreign attachment be attached in the hands of a third person, such process by foreign attachment may, until Parliament shall otherwise provide, be proceeded upon in the Court of Record of such Borough under this Act, with such rules of practice, and with the same powers and jurisdiction, as belonged to the said Court at the time of the passing of this Act: Provided always, That no such foreign attachment shall be issued unless a common attachment against the goods of the defendant shall first have issued, and unless thereupon a further affidavit shall be made as aforesaid, describing the goods, monies or credits sought to be attached in the hands of such third person, and stating that the same belong to the defendant; and such third person, in case he claims a property in such goods, shall be permitted to give bail for the same in manner aforesaid.

Process by
Foreign
Attachment.

And be it Enacted, That upon the appearance of the defendant upon any such common attachment, and upon the appearance of the garnishee upon any such foreign attachment, the plaintiff, in all cases where the debt or damages do not exceed Twenty Pounds, shall proceed by way of civil bill thereupon, and not according to the course of the common law, by filing such civil bill in the said Court, and giving notice in writing of such filing, together with a copy of such civil bill, to the party or his attorney in the proceeding.

182.
Where the
Proceedings
shall be by
Civil Bill.

And be it Enacted, That in all such cases, and in all other cases wherein the debt or damages do not exceed Twenty Pounds, and the plaintiff shall elect to proceed by serviceable process only in such Court of Record, and in all cases of ejectment triable in such Court of Record, and also in all cases in which the Recorder of any Borough has now by law any jurisdiction of proceeding in any case by way of Civil Bill, the proceeding shall be, as nearly as circumstances will admit, in the forms, and according to the course, and with such right of appeal to a Judge of Assize or at Nisi Prius of the County or City in which, for such purpose, such Borough, or any part thereof, shall be situate, as is by law provided in cases of Civil Bills determinable before any Assistant Barrister, Chairman or Recorder, as the case may be, and in cases where the Plaintiff shall

183.
Form of
Proceeding.

shall proceed in such Court according to the course of the common law, and shall recover in debt or damages an amount not exceeding Twenty Pounds, such Plaintiff shall not recover any costs of suit, unless the Judge before whom any such case shall be tried shall certify upon record under his hand, that the case was a proper case to be tried according to the course of the common law. 5

184.
Attornies in
Court of
Record.

And be it Enacted, That any Attorney of any of the Superior Courts of Record in Dublin shall be admissible to practise in the Court of Record of any such Borough, without payment of any fee or stamp-duty upon such his admission, and may continue to practise therein so long as he continues an Attorney of some of the Superior Courts of Record aforesaid, and is in all other respects duly qualified to act and practise as such Attorney. 10

185.
Court of
Conscience.

AND whereas in several of the Boroughs in Ireland there have been courts for the recovery of small debts in a summary way, commonly called Courts of Conscience; and such Courts when well regulated have been found useful to the poorer inhabitants of the said Boroughs, and it is expedient to make new and further provisions for the establishment and regulation of such Courts in certain cases; BE it Enacted, That from and after the passing of this Act all the powers, authorities and jurisdictions of any existing Court for the Recovery of Small Debts, commonly called the Court of Conscience, in every Borough, whether the same shall have been established by usage, statute or otherwise, shall continue in the same manner as if this Act had not been passed, until the Lord Lieutenant shall think proper to determine the same; and at any time it shall be lawful for the Lord Lieutenant, by an order under his hand, to declare that any such Court shall be discontinued at a time to be mentioned in such order, and to be not less than Two calendar Months after the date of such order; and every such order shall be advertised in the Dublin Gazette; and at the time appointed for that purpose in such order, such Court of Conscience, and all powers, authorities and jurisdictions thereof, shall wholly cease and determine, save only as to the execution of any decrees or orders of the said Court theretofore lawfully made. 15 20 25 30 35

186.
Lord Lieu-
tenant, with
consent of
Privy Coun-
cil, may
appoint a
Court of
Conscience
under the
regulations
of the Act
in the same
or any other
Town.

And be it Enacted, That in case the Lord Lieutenant, with the advice and consent of Her Majesty's Privy Council in Ireland, shall at any time think it expedient that any Court of Conscience now existing shall be continued, under such regulations as are herein contained, or that a Court of Conscience shall be established under such regulations in any Borough where no such Court now exists, provided that there shall then be a Court of Record in such Borough, 40

Borough, then the Lord Lieutenant shall, upon the application of the Council or Commissioners acting under this Act for such Borough, direct that there shall be such a Court, either before the Mayor of the said Borough, or the Deputy of such Mayor duly appointed by him by writing under his hand, with the consent of the Council of such Borough, signified by a resolution of such Council duly convened for that purpose or before such Barrister as hereinafter mentioned, a court for the recovery of small debts, to be called the Court of Conscience of such Borough, and that the Mayor of the said Borough, or his Deputy for the time being duly appointed, or such Barrister, shall be the President or Judge of such Court; and the Lord Lieutenant shall, upon the application of the Council, (if he shall think proper) appoint a fit person, being a Barrister-at-law of not less than Six Years' standing, who shall be and be called the Judge of the Court of Conscience for such Borough, and shall hold such office during good behaviour; and in the event of any vacancy in such office, the Lord Lieutenant shall appoint thereto another person qualified as aforesaid; and from and after the appointment of such President or Judge in such Borough, a Court shall be holden for the recovery of small debts, to be called the Court of Conscience of such Borough; and the President or Judge of such Court shall have full power and authority to hear and determine in a summary way causes in all small debts between party and party not exceeding in amount the sum of Forty Shillings, where the cause of action shall have accrued within the said Borough, or the defendant shall reside within the same.

AND whereas the office of President of the Court of Conscience, in the City of Dublin, is now by law vested in and the duties thereof are performed by the Alderman who shall have served in the office of Lord Mayor for the next preceding year, and for the term of One year next after he shall have served in that office; BE it Enacted, that from and after the passing of this Act, all the powers, authorities, usages and jurisdictions of the Alderman who now is President of the said Court of Conscience, and of the Alderman now in office as Lord Mayor of the City of Dublin, who having served in the office of Lord Mayor in the present year would, but for the foregoing provisions of this Act, be the President of the said Court in the next succeeding year, shall continue in the same manner as if this Act had not been passed; and the said Two Aldermen, as Presidents, successively, of the said Court, shall and may, each during his year of office as such President, call to his assistance any person who shall have been at the time of the passing of this Act an Alderman, Sheriff or Sheriffs' Peer of the said City, as hath been heretofore usually done and practised, and shall

187.
Regulating
the Office of
President of
the Court of
Conscience.

respectively be entitled to the fees and emoluments which, if this Act had not been passed, they would respectively be entitled to acquire or to enjoy in respect of the said Court of Conscience; and in all cases in which an appeal from any decision or order of the said Court of Conscience is now by law given to the party aggrieved by such decision or order, to the Chief or any Judge of any of Her Majesty's supreme Courts of Law in Ireland sitting at Nisi Prius, such party shall be entitled to such appeal in the manner now by law allowed, as fully as if this Act had not been passed: Provided always, That in case of the death, resignation or removal from such office of either of said Aldermen, during his term of office, the person to be appointed under this Act Judge or President of the Court of Conscience of the City of Dublin shall act as such Judge or President instead of the Alderman so dying, resigning or being removed, for and during the residue then unexpired of the term of office of the Alderman so dying, resigning or being removed, with the like powers, authorities, usages, jurisdictions, and in like manner to all intents and purposes, as such Alderman, but for such event, might have continued to act.

188.
Proceedings
in Courts of
Conscience.

And be it Enacted, That the said Court shall be held at such times and in such place within the said Borough as the Council or Commissioners acting for the said Borough shall direct; and the proceedings in said Court shall be by summons in the form Number 2, specified in Schedule (E.) to this Act annexed, stating the names of the parties, plaintiff and defendant, the nature and amount of the debt, and the time and place when and where the defendant is required to appear and answer the said claim; and such summons shall be served on the said defendant personally, or, in case of difficulty in effecting personal service, arising from the acts or contrivance of the said defendant, by serving the same in such manner as the President of the said Court shall direct, and in such case a copy of the order for such substitution of service shall be served along with and in the same manner as the summons; and in all cases the summons shall be served in manner aforementioned One clear day at the least previously to the hearing of the cause; and in case the said defendant shall appear, or if the plaintiff shall prove by affidavit (which, and all other affidavits in the said Court, the said President is hereby empowered to take), the due service of the said summons, or summons and order as aforesaid, the President of the said Court shall proceed to hear the said cause and the statement of the said party or parties, or their attorney or attornies, and all competent witnesses and other legal evidence produced by them or either of them, and shall determine the same: Provided always, That it shall be lawful for either party to require the other to be examined upon oath touching the said claim, but that neither of the said parties shall be

be admitted by his own evidence, on oath or otherwise, to support his own case.

189.
Order of
Court of
Conscience.

And be it Enacted, That upon such evidence as shall be adduced, and the admissions of the said parties, if required to be examined
5 as aforesaid, the said President shall decide upon the case, and shall make an order either for the payment of the sum claimed by the plaintiff or any part thereof, together with his costs of suit, according to a table of costs to be settled for the said Courts in manner hereinafter provided, or for dismissing the said summons,
10 and in such case to order the plaintiff to pay to the defendant his reasonable costs according to the said table, or may adjourn the cause to some other day, as justice may require; and every such order shall specify a time within which such payment of debt and costs, or of costs, as the case may be, shall be made, either by instalments or otherwise; and every order dismissing such summons
15 shall be expressed therein to be either "on the merits" or "without prejudice to any other proceeding for the said demand;" and in case the party against whom such order for the payment of the said debt and costs, or of such costs, shall be made, shall not pay the
20 amount thereof pursuant to the terms of the said order, it shall be lawful for the President of the said court, upon affidavit made of the service of a copy of such order on such party personally, or at his dwelling-house, office or shop, or last known place of residence within the said Borough, and of the non-payment of any sum of money mentioned in such order pursuant to the terms thereof, to issue his
25 warrant under his hand to levy the amount thereof by distress and sale of the goods of the said party.

190.
Re-hearings
and Appeals
upon cases in
Court of Con-
science.

And be it Enacted, That no re-hearing of any cause shall be had in the said Court, except only in cases where the same
30 shall have been dismissed "without prejudice to any other proceeding," as aforesaid; and that if any party shall think himself aggrieved by any such order of the said Court, either for payment of the said debt and costs, or for dismissing his cause on the merits as aforesaid, it shall be lawful for such party to
35 appeal therefrom to the Recorder of the said Borough; provided that in case of such appeal the party so appealing shall give notice of such appeal to the President of the said Court, and also to the opposite party in the said cause; and the said appeals may be forthwith proceeded upon before such Recorder at the Court
40 of the said Recorder, if then holden, or at the next or any subsequent Court of such Recorder, to be held within Six calendar Months from the time of the service of such order upon the party so appealing; and such Recorder shall have full power and authority to proceed to hear such cause, and to rescind and vary or reverse or affirm the said
order,

order, either for the payment of the said debt and costs, together with reasonable costs of such appeal, pursuant to the said table of costs, or for the payment of such costs only as aforesaid, as justice shall require; and in case of non-payment of the sum or sums of money mentioned in such order, on like affidavit of the due service thereof in manner 5 aforesaid, to issue his warrant under his hand to levy the amount thereof by distress and sale of the goods of the said party, in the same manner as the said President of the said Court of Conscience is hereby authorized: Provided always, That such notice of appeal shall not operate to stay execution of any order or warrant of the 10 said President of the said Court of Conscience, unless the party appealing therefrom shall enter into a bond to the Mayor of the said Borough, by himself and Two sufficient Sureties, jointly and severally bound in double the amount of the sums mentioned in such order, that such party so appealing shall prosecute such appeal with effect, 15 and in case such order shall be affirmed in the whole or in part on such appeal to pay the sum mentioned in such order of affirmation, either for debt and costs, or for costs: Provided always, That such bond shall not be liable to any stamp-duty.

191.
Books of
Proceedings
to be provided
and kept.

And be it Enacted, That the President of the said Court of Con- 20 science, or the Town Clerk under his order, shall make or cause to be made fair and regular entries in books to be provided by the Town Clerk, under the direction of the Council, for that purpose, of all judgments, orders, directions, regulations, acts and proceedings 25 of the said President in or relating to the execution of the several powers and authorities vested in him as Judge in such Court as aforesaid, and shall sign the same; and such entries, when so signed, shall be allowed in evidence in proof of the proceedings of such Court in all Courts whatsoever; and if any person within the juris- 30 diction of the said Court, after having been duly served with a summons to be issued by the Clerk thereof, and paid or tendered his reasonable expenses to attend and give evidence at a time and place in such summons mentioned, on behalf of any plaintiff or defendant, shall refuse or neglect to appear pursuant to such summons, due proof being made of the service of such summons, and no suffi- 35 cient cause for his non-appearance being shown to the satisfaction of the Court upon affidavit, or if the person so served with such summons shall appear and refuse to give evidence touching the matter in question, then and in every such case it shall be lawful for such President, if satisfied upon affidavit that such person not appearing was duly 40 served with such summons, and was a material witness for the party on whose behalf he was so summoned, or that such person appearing and refusing to give evidence as aforesaid was a competent and material witness for the party on whose behalf he was called, to impose any fine not exceeding Fifty Shillings on every such person; and in case such
fine

fine shall not be paid forthwith, such fine may be levied by distress and sale of the goods of the offender, by warrant under the hand of such President, rendering the overplus (if any), after deducting such fine, and the costs and charges of such distress, to the owner of the goods; and such fine, when levied, shall be paid over to the party on whose behalf such person shall have been summoned or called upon to give evidence; and in case any person shall be guilty of a contempt of the said Court, it shall be lawful for such President to direct that such offender be taken into custody, and any officer of the Court, with or without the assistance of any other person, may take such offender into custody accordingly; and the said President shall then examine into such contempt, and then, upon his own view, or upon oath of one or more other persons, impose a fine not exceeding Fifty Shillings for each offence on each offender; and if such fine shall not be forthwith paid, such President may commit the offender to any lawful prison within such Borough for any time not exceeding Twenty Days, or such fine may be levied by distress and sale of the goods of the offender in manner aforesaid, and paid to the Treasurer of such Borough, to the credit of the Borough Fund, and such offender may be detained in custody until the rising of the Court on the day of his offence, and for one hour after.

And be it Enacted, That it shall be lawful for the Judge of the Court of Conscience of any Borough named in the said Schedules, to appoint and remove at his pleasure a Clerk and other necessary Officers of such Court.

192.
Clerks, &c.
of Courts of
Conscience to
be appointed
by the Judge.

And be it Enacted, That the Council of every Borough shall and they are hereby required, within Six calendar Months next after their election, to make and settle a table of the fees which shall be taken by the Clerk of the Peace in those Boroughs in which a separate Court of Session of the Peace shall be holden, and in those Boroughs in which there shall be a Court of Record and a Court of Conscience a table of the fees to be taken by the Registrar and officers of such Courts; and such tables of fees shall be submitted to the Chief Justice and other Justices of Her Majesty's Court of Queen's Bench in Ireland; and when such tables of fees shall be confirmed and allowed by such Chief Justice or other Justices, or any Three of them, either as such table shall have been submitted to them, or with such alterations, additions or abatements as they shall think proper, the fees therein mentioned may thenceforth be lawfully taken by the person therein named to be entitled thereunto; and it shall be lawful for the Council of such Borough, from time to time as occasion may require, to make new tables of fees, to be taken instead of the fees contained in the tables which shall have been made as aforesaid, which new tables shall be confirmed and allowed in the manner

193.
Fees payable
to the Clerk
of the Peace,
Clerk to the
Magistrates,
and Registrar
and Officers
of the Court
of Record.

hereinbefore mentioned, otherwise the same shall be of no validity ; and that until tables of the fees so to be taken in any such Borough shall have been made and confirmed as aforesaid, it shall be lawful for such Clerk of the Peace at the Sessions for any such Borough to take the fees authorized by the table for the time being to be taken 5 by the Clerk of the Peace at the Sessions for the County within or adjoining to which such Borough is situated, and for the Registrar and officers of such Court of Record or Court of Conscience to take the fees usually taken by them before the passing of this Act.

194.
Clerks to
Justices to
be entitled
to Fees
chargeable
under Act
7 & 8 G. 4.
c. 67.

And be it Enacted, That in those Boroughs to which a commis- 10 sion of the peace shall have been granted, the Clerk to the Justices shall be entitled to such fees (and no other) as are chargeable by and under an Act passed in the Session of Parliament holden in the seventh and eighth years of the reign of his Majesty King GEORGE the Fourth, intituled, "An Act for the better Administration of Justice 15 at the holding of Petty Sessions by Justices of the Peace in Ireland," subject to such orders of the Justices as in that Act provided.

195.
Tables of Fees
to be hung up.

And be it Enacted, That the Town Clerk of every Borough shall cause a true copy of the Tables of Fees in force for the time being to be hung up in a conspicuous part of the room in which the business 20 of his office is transacted, and also in the room wherein the Justices of the Peace of such Borough shall sit for transacting their business, and also in the room wherein the Court of Sessions of the Peace for the Borough shall be held, and also in the Court of Record and Court of Conscience of the said Borough respectively. 25

196.
Application
of Penalties.

And be it Enacted, That when by any Act any Penalties or Forfeitures are or shall hereafter be made recoverable in a summary manner before any Justice or Justices of the Peace, and by such Act 30 respectively, the same are or shall be limited and made payable to Her Majesty, or to any Body Corporate, or to any person whomsoever, save and except the informer who shall sue for the same, or any party aggrieved, in every such case the same, if recovered and adjudged before any Justice of any Borough in which a separate Court of Sessions of the Peace shall be holden as aforesaid, shall, notwith- 35 standing any thing in such Act respectively contained, be recovered for and adjudged to be paid to the Treasurer of such Borough for the time being, to the credit and on account of the Borough Fund of such Borough, or, where there shall be no Borough Fund, be paid to or for the use of the parish or union where such offence shall have been committed, to be applied in aid of the Poor Rate of such parish 40 or union; and no such penalty or forfeiture, or share of such penalty or forfeiture, shall in any case be recovered by or adjudged to be paid

to

to any other person than the said Treasurer, unless such person be the informer or the party aggrieved: Provided always, That nothing herein contained shall extend to any penalties or forfeitures recovered under any Act relating to the Customs, or to trade or navigation, and sued for by the direction of the Commissioners of Her Majesty's Customs, which shall be paid to such person as the said Commissioners shall direct to receive the same.

AND for the more effectual prosecution of offences punishable upon summary conviction by virtue of this Act, BE it Enacted, That the prosecution for every such offence shall be commenced within Twelve calendar Months after the committing of the offence, and not otherwise; and that where any person shall be charged, on the oath of a credible witness, with any such offence, before a Justice of the Peace, the Justice may summon the party charged to appear before any two Justices of the Peace acting in and for the Borough in which such offence shall have been committed, at a time and place to be named in such summons; and if such party shall not appear accordingly, the Justices of the Peace then and there present (upon proof of the due service of the summons by delivering a copy thereof to the party, or by delivering such copy at the party's usual place of abode to some inmate thereat, and explaining the purport thereof to such inmate), may either proceed to hear and determine the case in the absence of the party, or may issue their warrant for apprehending and bringing such party before them, as they shall think proper.

197.
Limitation of time for Prosecution of Offences punishable on summary Conviction under this Act, and Summons of Offenders.

And be it Enacted, That it shall be lawful for any Justice of the Peace acting in and for any Borough, to issue his summons requiring any person to appear before any such Justices of the Peace for the purpose of giving evidence touching any offence against this Act; and if any person so summoned shall neglect or refuse to appear at the time and place appointed by such summons, and no reasonable excuse for his absence shall be proved before the Justices of the Peace then and there present, or if any person appearing in obedience to such summons shall refuse to be examined on oath touching any such offence by the Justices then and there present, every person so offending shall, on conviction thereof before the said Justices, or any other Justices of the Peace, forfeit and pay such sum of money, not exceeding Five Pounds, as to the convicting Justices shall seem meet; and no person, although liable to the rate contributing to the Borough Fund of any Borough shall be deemed an incompetent witness in proof of any offence against this Act by reason of any penalty or forfeiture for such offence being applicable to the use of such Borough Fund; and no Justice of the Peace shall be disabled from acting in the execution of this Act by reason of his being liable to the rate contributing to the Borough Fund of any Borough.

198.
Power to summon Witnesses.

Penalty for disobedience of Summons, &c.

No Witness or Justice to be incompetent on the ground of rateability.

199.
Payment of
Penalties,
and Mode of
levying the
same.

And be it Enacted, That the Justices of the Peace by whom any person shall be summarily convicted and adjudged to pay any sum of money for any offence against this Act, may adjudge that such person shall pay the same either immediately or within such period as the said Justices shall think fit; and in case such sum of money shall not be paid at the time so appointed, the same shall be levied by distress and sale of the goods and chattels of the offender, with the reasonable charges of such distress; and it shall be lawful for such Justices to order the offender to be detained in safe custody until return can conveniently be made to the warrant of distress, unless the said offender shall give sufficient security to the satisfaction of such Justices for his or her appearance before them on such day as shall be appointed for the return of such warrant of distress, such day not being more than Eight Days from the day of taking the security, and which security the said Justices are hereby empowered to take by way of recognizance or otherwise; and if upon the return of such warrant it shall appear that no sufficient distress can be had thereupon, or in case it shall appear to the satisfaction of such Justices, either by the confession of the offender or otherwise, that the offender hath not sufficient goods and chattels whereon such sum of money and costs may be levied were a warrant of distress issued, such Justices shall not be required to issue such warrant of distress, and thereupon it shall be lawful for any such Justices and they are hereby authorized and required to cause such offender to be imprisoned, with or without hard labour, in the common gaol or house of correction, as to the convicting Justices shall seem meet, for any term not exceeding One calendar Month where the sum to be paid shall not exceed Five Pounds, and for any term not exceeding Two calendar Months in any other case, the imprisonment to cease in each of the cases aforesaid upon payment of the sum due.

200.
Form of
Conviction.

And be it Enacted, That the Justices of the Peace before whom any person shall be summarily convicted of any offence against this Act may cause the conviction to be drawn up in the following form of words, or in any other words to the like effect, as the case may require; (that is to say)

“ } BE it Remembered, That on the day of
to wit, } in the year of our Lord
in the Borough of in the County of
A. O. is convicted before us, J. P. and J. J. P., Two of
Her Majesty's Justices of the Peace for the said County
[or Borough, or otherwise, as the case may be], for that
the said A. O. did [here specify the offence, and the time
and place when and where the same was committed, as the
case may be]; and we do adjudge that the said A. O. shall
for

for the said offence forfeit the sum of , and shall pay the same immediately [or shall pay the same on or before the day of] to

the Treasurer for the said Borough, to be by him applied according to the directions of the statute in that case made and provided: Given under our hands the day and year first above mentioned."

201.

Appeal
against
Convictions
under this
Act.

And be it Enacted, That any person who shall think himself aggrieved by any summary conviction in pursuance of this Act, may
10 appeal to the next Court of General or Quarter Sessions of the Peace to be holden, not less than Twelve Days after such conviction, for the County or Division of the County, or for the Borough wherein the cause of complaint shall have arisen, provided that such person shall give to the complainant a notice in writing of such
15 appeal, and of the cause and matter thereof, within Three Days after such conviction, and Seven clear Days at the least before such Sessions, and shall also either remain in custody until the Sessions, or within such Three Days enter into a recognizance, with a sufficient surety, before a Justice of the Peace, conditioned personally to
20 appear at the said Sessions, and to try such appeal, and to abide the judgment of the Court thereupon, and to pay such costs as shall be by the Court awarded; and upon such notice being given and such recognizance entered into, the Justice before whom the same shall be entered into shall liberate such person, if in custody; and the
25 Court at such Sessions shall hear and determine the matter of the appeal, and shall make such order therein, with or without costs to either party, as to the Court shall seem meet, and in case of the dismissal of the appeal or the affirmance of the conviction, shall order and adjudge the offender to be dealt with and punished according to
30 the conviction, and to pay such costs as shall be awarded, and shall, if necessary, issue process for enforcing such judgment.

202.

No Certiorari, &c.

As to informality in Warrants, &c.

And be it Enacted, That no conviction, order, warrant or other matter made or purporting to be made by virtue of this Act shall be quashed for want of form, and no warrant of commitment shall
35 be held void by reason of any defect therein, provided that it be therein alleged that it is founded on a conviction, and there be a good and valid conviction to sustain the same; and where any distress shall be made for levying any money by virtue of this Act, the distress itself shall not be deemed unlawful, nor the party making
40 the same be deemed a trespasser, on account of any defect or want of form in the summons, conviction, warrant of distress or other proceedings relating thereto, nor shall the party distraining be deemed a trespasser ab initio on account of any irregularity afterwards committed by him, but the person aggrieved by such irregularity

larity may recover full satisfaction for the special damage, if any, in an action upon the case.

203.
Limitation in
Proceedings
against Per-
sons acting
under this
Act.

Notice of
Action.

General Issue

Tender of
Amends, &c.

AND for the protection of persons acting in the execution of this Act, BE it Enacted, That all actions and prosecutions to be commenced against any person for any thing done in pursuance of this Act shall be commenced within Twelve calendar Months after the fact committed, and not otherwise; and notice in writing of such action, and of the cause thereof, shall be given to the defendant One calendar Month at least before the commencement of the action; and in any such action the defendant may plead the general issue, and give this Act and the special matter in evidence, at any trial to be had thereupon; and no plaintiff shall recover in any such action if tender of sufficient amends shall have been made before such action brought, or if a sufficient sum of money shall have been paid into Court after such action, by or on behalf of the defendant; and if a verdict shall pass for the defendant, or the plaintiff shall become nonsuit, or discontinue any such action after issue joined, or if upon demurrer or otherwise judgment shall be given against the plaintiff, the defendant shall recover his full costs as between attorney and client, and have the like remedy for the same as any defendant hath by law in other cases.

204.
Saving the
rights of the
Governor and
Assistants of
London of the
New Planta-
tion in Ulster,
and of Lords
of Manors.

And be it Enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter or take away any of the rights, privileges, powers or authorities vested in or enjoyed by, or duties, or liabilities imposed upon, the Society of the Governor and Assistants of London of the New Plantation in Ulster within the realm of Ireland, under or by virtue of any charter or charters heretofore granted to them by the Crown, or of any Statute or Statutes in anywise relating thereto, or any rights, privileges, powers or authorities vested in or enjoyed by, or any liabilities imposed on any Lord of any Manor, or any person or persons other than the member or members of a Body Corporate in his or their corporate capacity, or a person or persons elected or appointed by any such Body Corporate, or some member or members thereof.

205.
Officers to
receive Com-
pensation on
removal.

AND whereas an Act was passed in the last Session of Parliament, intituled, "An Act to restrain the alienation of Corporate Property in certain Towns in Ireland," whereby it is provided that no person who should have been appointed to any office or place of profit in or by any of the said bodies corporate since the Sixteenth day of February in the year One thousand eight hundred and Thirty-six, should be entitled, by reason of such appointment, to have any compensation for the loss of such office or place of profit, or of the fees and emoluments thereof, in case provision should be thereafter made by Parliament for removing him, or authorizing his removal from such office

office or place of profit, or for amending or abolishing the same :
 BE it Enacted, That every officer of any Borough or Body Corporate,
 except those appointed since the Sixteenth day of February One
 thousand eight hundred and Thirty-six, who shall hold any office of
 5 profit at the time when this Act shall come into operation in such
 Borough, whose office shall be abolished, or cease or become unne-
 cessary, by reason of this Act, or who shall be removed from his
 office under the provisions of this Act, or deprived of fees or emolu-
 10 ments to which he would have been entitled if this Act had not been
 passed, and who shall not be re-appointed under this Act, shall be
 entitled to have an adequate compensation, by way either of a sum
 in gross or of annuity, at the option of and to be assessed by the
 Council, Commissioners or Guardians, acting under this Act for that
 Borough, and paid out of the Borough Fund or Town Fund, or
 15 corporate property or funds vested in the Guardians under this Act,
 as the case may be, for the salary, fees and emoluments of the office
 which he shall so cease to hold, regard being had to the manner of
 his appointment to the said office, and his term or interest therein,
 and all other circumstances of the case ; and every person entitled
 20 to such compensation as aforesaid shall deliver to the Town Clerk,
 or in case such person shall himself be Town Clerk, then to the
 Treasurer of the Borough, a statement under the hand of such person,
 setting forth the amount received by him or his predecessors in every
 year during the period of Five Years next before the passing of this
 25 Act, on account of the salary, fees, emoluments, profits and per-
 quisites in respect whereof he shall claim such compensation, dis-
 tinguishing the office, place, situation, employment or appointment in
 respect whereof the same shall have been received, and containing
 a declaration that the same is a true statement according to the best
 30 of the knowledge, information and belief of such person, and also
 setting forth the sum claimed by him as such compensation ; and the
 Town Clerk or Treasurer, as the case shall be, shall lay such state-
 ment before the Council, Commissioners or Guardians acting under
 this Act for that Borough, who shall take the same into consideration,
 35 and determine thereon ; and immediately upon such determination
 being made, the person preferring such claim, if he shall not him-
 self be the Town Clerk, shall be informed thereof by notice in
 writing under the hand of the Town Clerk ; and in case such
 claim shall be admitted in part and disallowed in part, such notice
 40 shall specify the particulars in which the same shall have been ad-
 mitted and disallowed respectively ; and in case the person preferring
 such claim shall think himself aggrieved by the determination of the
 Council, Commissioners or Guardians acting under this Act for that
 Borough, thereon, or in case One-third of the members of the Council,
 Commissioners or Guardians acting under this Act for that Borough,
 shall subscribe a protest against the amount of compensation allowed

by such determination as excessive, it shall be lawful for the person
 preferring such claim, or any member of the Council, Commissioner
 or Guardian, as the case may be, who shall subscribe such protest,
 to appeal to the Lords Commissioners of Her Majesty's Treasury,
 who shall thereupon make such order as to them shall seem just ; 5
 and such order, signed by Three or more of such Lords Commis-
 sioners, shall be binding on all parties: Provided always, That
 if the Council, Commissioners or Guardians so acting for such
 Borough, shall not determine on such claim within Six calendar
 Months after the aforesaid statement shall be delivered to the Town 10
 Clerk or Treasurer, as the case shall be, such claim shall be con-
 sidered as admitted: Provided also, That it shall not be lawful for
 any member of the Council, Commissioner or Guardian, to sub-
 scribe such protest as aforesaid except within such period of Six
 calendar Months: Provided also, That the person preferring such 15
 claim, if any member of the Council, Commissioner or Guardian
 shall so require, upon receiving notice in writing signed by the Town
 Clerk, unless such person shall himself be Town Clerk, in which
 case no such notice shall be requisite, shall from time to time
 attend at any meeting or adjourned meeting of the Council, Com- 20
 missioners or Guardians, for the investigation of such claim, and
 then and there, upon his oath or solemn affirmation, to be taken or
 made before the Mayor or Chairman (who is hereby authorized to
 administer the same), shall answer all such questions as shall be
 asked by any member of the Council, Commissioner or Guardian, 25
 touching the matters set forth in the statement subscribed by such
 person as aforesaid, and produce all books, papers and writings
 in his possession, custody or power relating thereto: Provided
 also, That every such officer who shall be continued in or re-
 appointed to such office under the provisions of this Act, and who 30
 shall be subsequently removed from such office for any cause other
 than such misconduct as would warrant removal from any office
 held during good behaviour, shall be entitled to compensation in like
 manner as if he had been forthwith removed under the provisions of
 this Act, and had not been continued in or re-appointed to such 35
 office: Provided also, That the provisions hereinbefore contained
 with respect to such notice, protest and appeals as aforesaid, and
 with respect to the said Lords Commissioners making such order as
 aforesaid, and with respect to the person claiming compensation
 delivering such statement, and attending such meeting or meetings, 40
 and submitting to such examination on oath, and answering such
 questions, and producing such books papers and writings as afore-
 said, and with respect to the powers of investigation of the Town
 Council, and all other matters in respect of such claim, shall apply
 to any claim or compensation of any of the persons hereinafter men-
 tioned or specially provided for.

And

CLAUSE (A.)
Special provision for Compensation of certain persons in the City of Dublin.

AND whereas it may be expedient to make, with certain limitations, special provisions by way of compensation for the persons hereinafter mentioned, which shall not be applicable to others; BE it Enacted, That the Town Council of the Borough of Dublin shall
5 award, by way of compensation, to Robert Dickenson, a sum not exceeding the amount of one-fourth part of the moiety of the profits of any such office of such Borough as he may have held jointly with any other person on the Third day of February One thousand eight hundred and Forty, in respect of which office he would be entitled
10 to compensation under the provisions hereinbefore contained if he had been appointed thereto previous to the Sixteenth day of February in the year One thousand eight hundred and Thirty-six: Provided nevertheless, That such compensation so to be awarded to the said Robert Dickenson shall not exceed the annual sum of Three
15 hundred Pounds, or such gross sum as it might be just to award in respect of such annual sum: Provided also, That in case the Town Council of the said Borough shall appoint or employ the said Robert Dickenson, solely or jointly with any other person, to be Town Clerk of the said Borough, or the Law Agent of the Corporate Body of the said Borough, or of the said Town Council, the
20 said Robert Dickenson shall thereupon perform the duties incident to such appointment or employment, and such emoluments as he may derive by reason of such appointment or employment shall be taken and applied, as far as the same shall extend, in or towards the discharge of such sum as shall be so awarded to him as aforesaid: Provided also, That in case he shall be so appointed or
25 employed, and shall be afterwards removed from such appointment or employment for such misconduct as would warrant removal from any office held during good behaviour (but not otherwise), he shall forfeit such compensation so to be awarded as aforesaid; but
30 in case he shall be so removed for any other cause, he shall be entitled to such compensation so to be awarded as if he had been an officer forthwith removed under the provisions of this Act, and had not been continued in or re-appointed to such office: AND whereas under an Act passed in the Parliament of Ireland
35 in the twenty-eighth year of the reign of King GEORGE the Third, in relation to the business of Pawnbrokers in Dublin, the Sword-bearer and the Marshal of the City of Dublin, and their assistants, have enjoyed certain privileges of acting in certain districts of said City as auctioneers for the sale of the forfeited pledges of Pawnbrokers:
40 AND whereas the said Sword-bearer and Marshal have from time to time appointed assistant Auctioneers for the purposes aforesaid, who have received and retained a part of the lawful emoluments derived under said Act from auctions and sales of said pledges; BE it Enacted, That in case each or either of them the said Sword-bearer

and Marshal shall be removed from being such Sword-bearer and Marshal, or Sword-bearer or Marshal respectively, and shall not be re-appointed, and shall be entitled to compensation under this Act, then and in such case his assistant shall, on exhibiting and authenticating to the Town Council the original, and delivering to the Town Council a true copy, of his deputation or appointment as such assistant, be, until Parliament shall otherwise provide, continued in his employment as auctioneer or assistant, subject to all the conditions, agreements and obligations on his part contained in or arising from such deputation or appointment, and subject to the payment of such sums as any such assistant was liable to pay under such deputation or appointment as aforesaid as was in force on the Third day of February One thousand eight hundred and Forty, such sums to be paid to the Sword-bearer or Marshal respectively for the time being, or otherwise as the Town Council shall order; and such assistant shall be liable to be dismissed by such Sword-bearer or Marshal respectively, or by such Town Council, for the violation of any stipulation or agreement, or the non-fulfilment of any obligation, by the violation or non-fulfilment of which, according to such deputation or appointment, the same would or might have been revoked or have become void: Provided always, That it shall be lawful for the Town Council, if they shall think fit, to remove such assistant from his said employment, without such violation or non-fulfilment as aforesaid; but that in case of such removal, he shall be entitled to compensation in respect of his share of the net emoluments of his said employment as if he were an officer of the Borough or Body Corporate entitled to compensation under this Act: Provided always, That the total amount of compensation which may be allowed or awarded on account of any claim or claims of the said Sword-bearer and Marshal, and any such assistant, in respect of such privileges as aforesaid, shall not in any event exceed in the whole the amount of the net emoluments received by them respectively under the said last-mentioned Act of the said Parliament of Ireland: Provided also, That all the provisions herein contained in relation to, or so far as they may concern or affect, any such assistant, or any such Sword-bearer or Marshal, shall be subject to such provisions as shall be made by any Act of Parliament which may be passed in relation to Pawnbrokers; and that no Sword-bearer or Marshal, or assistant, or other person hereafter appointed, or who shall hereafter act, in relation to the auctions or sales of any forfeited pledges of Pawnbrokers, shall be entitled to any compensation for any loss of any employment, office, or emoluments by reason of any Act which may be passed in relation to Pawnbrokers, or of any regulations or proceedings to be had or made thereunder.

And

(CLAUSE B.)
Provision re-
specting Ju-
nior Aldermen
in Dublin.

And be it Enacted, That it shall be lawful for the Town Council of the Borough of Dublin to grant, by way of compensation, to each of the present four Junior Aldermen of the City of Dublin, such sum, (not exceeding One-fourth of the amount of the average profits received as Judge or President of the Court of Conscience in Dublin by each person who for the Five Years ending the Twenty-ninth day of September in the year One thousand eight hundred and Thirty-eight served the office of Lord Mayor of the said city or by his deputy) as to such Town Council, or to the Lords Commissioners of the Treasury on appeal, shall seem just; and each such Junior Alderman shall furnish and verify on oath to such Town Council a statement of such profits in lieu of the statement hereinbefore required to be made of the amount received by the person claiming compensation, or his predecessors: Provided always, That in case any of such Junior Aldermen shall, since the month of August One thousand eight hundred and Thirty-nine, have received, or shall have acquired any title to, any sum or pecuniary benefit which ought justly to be taken into account in considering his claim to compensation under this Act, such sum or benefit shall be treated either as extinguishing such claim, or as applicable to diminish the amount which might otherwise be awarded to him as aforesaid.

Compensation
to be secured
by Bond or
Certificate
under Com-
mon Seal.

And be it Enacted, That in the case of any Borough named in said Schedule (A.) or said Schedule (B.) in which there shall be a body corporate under the provisions of this Act, the amount of the sum or annuity payable to any person as such compensation as aforesaid, if not forthwith paid, shall be secured to such person by bond under the common seal of the Borough out of whose funds the same shall be payable, in a sufficient penalty, conditioned for the payment to such person, his executors or administrators or assigns, of the amount of such sum, with interest, and all arrears thereof (if any) accrued due before the date of such bond; and when any person shall be entitled to any annuity, pension, allowance, stipend or sum of money payable out of the Borough Fund of any Borough, the said Council of such Borough shall give such Bond, securing to such person, his executors and administrators, such annuity, pension, allowance, stipend, or sum of money, with all arrears thereof, if any, accrued due before the date of such Bond; and in the case of any Borough named in the said Schedule (B.) to which no such Charter of Incorporation shall have been granted as aforesaid, the amount of the sum or annuity payable to any person as such compensation as aforesaid, if not forthwith paid, shall be secured to such person by certificate in writing under the Seal of the Commissioners or Guardians acting for the Borough out of the Town Fund of which the same shall be payable, stating that the

Town Fund of the town in which such person shall be or have been in office is liable to the payment to such person, his executors, administrators or assigns, of the amount of such sum, with interest and all arrears (if any) accrued due before the date of such certificate respectively; and when any person shall be entitled to any annuity, pension, allowance, stipend or sum of money payable out of the Town Fund of any Borough which shall be sufficient for payment thereof, the said Commissioners or Guardians acting for such Borough shall give a certificate under their common seal to such person that such Town Fund is liable to the payment to such person, his executors and administrators, of such annuity, pension, allowance, stipend or sum of money, with all arrears thereof, if any, accrued due before the date of such certificate; and every such bond and certificate shall be prepared and executed at the expense of such Borough Fund or Town Fund respectively, and delivered to the person entitled to such compensation as soon as conveniently may be after the amount thereof shall have been determined as aforesaid by the said Council, Commissioners or Guardians, as the case may be, or shall have been determined, in the event of such appeal as aforesaid, by order of the said Lords Commissioners of the Treasury.

209.
When the
Act shall
come into
operation.

And be it Enacted, That as soon as any rate for the relief of the destitute poor in Ireland shall have been made in any of the Boroughs named in either of the said Schedules (A.) or (B.), the Poor Law Commissioners shall certify under their hands and seal to the Lord Lieutenant that such rate has been made, and shall state in such Certificate the day on which such rate will become payable, and upon the Poor Law Commissioners so certifying as to any of the Boroughs named in said Schedule (A.), Lord Lieutenant shall cause such Certificate to be published in the Dublin Gazette, with a declaration that this Act shall upon the day so to be stated in such certificate be in force in the Borough or Boroughs named in the Certificate; and upon such day this Act shall come into operation, commence and be in force in the Borough or Boroughs named in such Certificate.

210.
Periods connected with
first Registration and
Election may
be deferred
by Orders in
Council.

AND whereas it may happen that the several provisions of this Act cannot be carried into effect within the several periods hereinbefore specified and limited in that behalf; BE it therefore Enacted, That it shall be lawful for the Lord Lieutenant of Ireland, if he shall think fit, by the advice of Her Majesty's Privy Council there, to order any convenient day after this Act shall come into operation in any Borough for doing the several matters required or authorized by this Act to happen or to be done on the Twenty-fifth day of October in the first year in which this Act shall come into operation in that Borough, instead of the said Twenty-fifth day of October, and in such case all matters mentioned in such order shall be done in the said year

on such day as shall be mentioned in that behalf in such order, as if the day mentioned in such order had in every instance been mentioned in this Act, instead of the said Twenty-fifth day of October, and not otherwise; and all things required or authorized by this Act to happen or to be done on any other day, or within any time from or before or after any day named in this Act, shall be done in the said first year on such other days and within such other times as shall have, in point of time, whether prior or subsequent, the same relation to the day so ordered by the Lord Lieutenant, instead of the Twenty-fifth day of October, as the days and time mentioned in this Act have to the said Twenty-fifth day of October, but if any such day fall on a Sunday, then on the following day; and no person shall be entitled to be enrolled in the Burgess Roll of any Borough in the first year in which this Act shall come into operation in that Borough unless he would have been entitled on the Fifth day next before the day so ordered by the Lord Lieutenant to have his name included in some Churchwarden's List, if such list had been made out on the said Fifth day next before the day so ordered.

And be it Enacted, That in the construction of this Act the word "Borough" shall be construed to mean City, Borough or Town Corporate, and, where the name of such Borough has belonged to a County of a City or County of a Town, shall be construed to include in its meaning, County of a City or County of a Town; and the words "Body Corporate" shall be construed to include all guilds and fraternities of, within or connected with such Body Corporate; and the word "Burgess" shall be construed to mean Citizen, in the case of a City; and the word "County" shall be construed to mean County or Riding; and the word "Trustees" shall be construed to mean Trustees, Commissioners or Directors, or the persons charged with the execution of a trust or public duty, by whatever name they are designated; and the word "Parish" shall be construed to extend to any extra-parochial precinct or place as well as a parish; and the word "Land" shall be construed to include any Land, whether the same shall or shall not have any building thereon; and the words "Lord Lieutenant" shall be construed to mean the Lord Lieutenant, Lords Justices, or other Chief Governor or Governors of Ireland; and the words "Lord Chancellor" shall be construed to mean the Lord Chancellor or Lord Keeper, or Lords Commissioners for the custody of the great seal; and that in all things herein provided to be done, until the first election of Councillors in any Borough under this Act shall have been declared, the word "Mayor" shall be construed to mean the chief Officer of a Borough, by whatever name he is now called, or when there may be no such chief Officer, the Returning Officer at elections of Members to serve in Parliament for such

211.
Interpreta-
tion Clause.

Borough,

Borough, or when there may be neither any such chief Officer or Returning Officer, then such person as the Lord Lieutenant for the time being shall by writing under his hand appoint to perform the duty of Mayor under the provisions herein contained; and in describing any person or thing, any word importing the singular number shall be construed to mean also several persons or things respectively, unless there be something in the subject or context repugnant to such construction; and that no misnomer or inaccurate description of any person, Body Corporate, or place named in any Schedule to this Act annexed, or in any Roll, List, Ward List, Notice or Voting Paper required by this Act, shall hinder the full operation of this Act with respect to such person or place, provided that such person or place shall be so named as to be commonly understood; and in all cases where an oath or affidavit is required under this Act, the affirmation or declaration of a Quaker, Moravian, or Separatist shall be accepted in lieu of such oath or affidavit.

212.
Act may be
altered this
Session.

And be it Enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

SCHEDULE (B.)

BOROUGH.	STYLE OF CORPORATE BODY.
ARDEE - -	The Portreeve, Burgesses and Commons of the Corporation of Atherdee.
ARMAGH - -	-- The Sovereign, Free Burgesses and Commonalty of the Borough of Armagh.
ATHLONE - -	The Sovereign, Bailiffs, Burgesses and Freemen of the Town of Athlone.
ATHY - -	-- The Sovereign, Bailiffs, Free Burgesses and Commonalty of the Borough of Athy.
BANDON - -	-- The Provost, Free Burgesses and Commonalty of the Borough of Bandon Bridge.
BOYLE - -	-- The Borough Master, Free Burgesses and Commonalty of the Borough of Boyle.
CALLAN - -	-- The Sovereign, Burgesses and Freemen of Callan.
CARLOW - -	-- The Sovereign, Free Burgesses and Commonalty of the Borough of Catherlagh.
CARRICKFERGUS - -	-- The Mayor, Sheriffs, Burgesses and Commonalty of the Town of Carrickfergus.
CASHEL - -	-- The Mayor, Aldermen, Bailiffs, Citizens and Commons of the City of Cashel.
CHARLEVILLE - -	The Sovereign, Bailiffs and Burgesses of the Borough of Charleville.
CLOGHNAKILTY - -	-- The Sovereign, Free Burgesses and Commonalty of the Borough of Cloghnakilty.
COLERAINE - -	The Mayor, Aldermen and Burgesses of the Town of Coleraine.
DINGLE - -	-- The Sovereign, Burgesses and Commonalty of the Town of Dingle-i-couch.
DUNDALK - -	The Bailiff, Burgesses and Commonalty of the Borough of Dundalk.
DUNGANNON - -	-- The Provost, Free Burgesses and Commons of the Borough of Dungannon.
ENNIS - -	The Provost, Free Burgesses and Commonalty of the Town of Ennis.
ENNISCORTHY - -	-- The Portreeve, Free Burgesses and Commonalty of the Borough of Enniscorthy.
ENNISKILLEN - -	-- The Portreeve, Free Burgesses and Commonalty of the Borough of Enniskillen.
FETHARD - -	-- The Sovereign, Chief Burgesses, Portreeve and Freemen of the Town of Fethard.
GOREY - -	-- The Sovereign, Burgesses and Free Commons of the Borough and Town of Newborough
KELLS - -	-- The Sovereign, Provosts, Burgesses and Commonalty of the Borough of Kells.
KINSALE - -	The Sovereign, Burgesses and Commonalty of the Town of Kinsale.
LONGFORD - -	The Sovereign, Bailiffs and Burgesses of the Borough of Longford.
MARYBOROUGH - -	The Burgomaster, Bailiffs, Burgesses and Commonalty of Maryborough.
MONAGHAN - -	-- The Provost, Free Burgesses and Commonalty of the Borough of Monaghan.
NAAS - -	The Sovereign, Provost, Burgesses and Commonalty of Naas.
NAVAN - -	-- The Portreeve, Burgesses and Freemen of the Town or Borough of Navan.
NEW ROSS - -	The Sovereign and Burgesses of New Ross.
PORTARLINGTON - -	-- The Sovereign, Bailiffs and Burgesses of the Borough and Town of Portarlington.
STRABANE - -	The Provost, Free Burgesses and Commonalty of the Town of Strabane.
TRALEE - -	The Provost, Free Burgesses and Commonalty of the Borough of Tralee.
TRIM - -	The Portreeve, Burgesses and Freemen of Trim.
TUAM - -	-- The Sovereign, Free Burgesses and Commonalty of the Borough of Tuam.
WEXFORD - -	-- The Mayor, Bailiffs, Free Burgesses and Commonalty of the Town or Borough of Wexford.
WICKLOW - -	-- The Portreeve, Free Burgesses and Commonalty of the Town of Wicklow.
YOUGHAL - -	-- The Mayor, Bailiffs, Burgesses and Commonalty of the Town of Youghal.

SCHEDULE (C.)

1.—BELFAST.

GENERAL BOUNDARY.

FROM the Point at which the River Blackstaff meets the Watercourse which flows along the Street called Donegal Pass, along the said Watercourse, to the Point at which Donegal Pass crosses the Aqueduct which supplies the Town; thence, Southward, along the Aqueduct to the Point at which the same joins the Stream by which it is fed; thence, Westward, along the said Stream to the Point at which the same meets Blackstaff Lane; thence along the South Side of Blackstaff Lane to the centre of the Brick Building of the Reservoir or Fountain; thence in a straight Line to a circular Building at a Spring Head or Well called Tea Lane Fountain; thence in a straight Line to another circular bricked Fountain or Well in the Grounds near the Flax Mill belonging to Messrs. Murphy and Company; thence in a straight Line to the South-eastern Angle of the Boundary of the Townland of Edenderry; thence, Northward, along the said Townland Boundary to the Point at which the same meets a Stream; thence, Westward, along the said Stream to the Point at which the same meets the Western Wall of Mr. Francis M'Cracken's Rope-walk; thence, Northward, along the Wall of the said Rope-walk to the Point at which the same meets the Shank Hill Road; thence in a straight Line to the Southernmost Point at which the Boundary of the new Burying Ground meets the Antrim Road; thence, Northward, along the Antrim Road to the Point at which the same meets the Road leading from the Antrim Road to the old Road from Belfast to Carrickfergus; thence along the said Road leading to the old Road to Carrickfergus to the Point at which the same meets the old Road from Belfast to Carrickfergus; thence, Northward, along the old Road from Belfast to Carrickfergus to the Point at which the same meets the Mill Water; thence, Eastward, along the Mill Water to the Point at which the same meets the Shore of Belfast Lough; thence in a straight line across Belfast Lough to the North Eastern Point of the Boundary of the Townland of Ballymacarrett; thence, Southward, along the Boundary of the Townland of Ballymacarrett to the Southernmost Point at which the same meets the River Lagan; thence, Southward, along the River Lagan to the Point at which the same meets the River Blackstaff; thence along the River Blackstaff to the Point first described.

BELFAST.

To be divided into Five Wards according to the following Boundaries; and in every such Ward there shall be Two Aldermen and Six Councillors.

No. 1.—DOCK WARD.

FROM the South-eastern Angle of Donegal Quay, Westward, along Donegal Quay, to the Point at which the same meets Waring Street; thence along Waring Street to the Point at which the same meets Mary Street; thence, Northward, along Mary Street to the Point at which the same meets Gordon Street; thence, Westward, along Gordon Street, to the Point at which the same meets Grattan Street; thence along Grattan Street to the Point at which the same meets Green Street; thence along Green Street to the Point at which the same meets Academy Street; thence, Northward, along Academy Street to the Point at which the same meets Great Patrick Street; thence, Westward, along Great Patrick Street to the Point at which the same meets Frederick Street; thence along Frederick Street to the Point at which the same meets North Queen Street; thence, Southward, along North Queen Street to the Southern Angle of the Boundary Wall of the Belfast Poor House; thence, Westward, along the new Antrim Road to the Point at which the same meets the Boundary of the Borough; thence, Northward, and along the Boundary of the Borough to a Point in the Channel, three hundred feet from the West Shore of Belfast Lough; thence in a straight Line to the Point first described.

No. 2.—

No. 2.—ST. ANNE'S WARD.

FROM the Point at which Waring Street meets Mary Street, Northward, along Mary Street, to the Point at which the same meets Gordon Street; thence, Westward, along Gordon Street to the Point at which the same meets Grattan Street; thence along Grattan Street to the Point at which the same meets Academy Street; thence, Northward, along Academy Street to the Point at which the same meets Great Patrick Street; thence, Westward, along Great Patrick Street to the Point at which the same meets Frederick Street; thence along Frederick Street to the Point at which the same meets North Queen Street; thence, Southward, along North Queen Street, to the Southern Angle of the Boundary Wall of the Belfast Poor House; thence, Westward, along the new Antrim Road to the Point at which the same meets the Boundary of the Borough; thence, Westward, along the Boundary of the Borough to the Point at which the same meets the Old Lodge Road; thence, Eastward, along the Old Lodge Road to the Point at which the same meets North Street; thence, Eastward, along North Street to the Point at which the same meets Waring Street; thence along Waring Street to the Point first described.

No. 3.—SMITHFIELD WARD.

FROM the Point at which North Street meets Rosemary Street, along Rosemary Street, to the Point at which the same meets Hercules Place; thence, Southward, along Hercules Place, passing in Front of the Northern Bank, to the Northern End of Donegal Place; thence along Donegal Place to the Point at which the same meets Donegal Square North; thence, Westward, along Donegal Square North to the Point at which the same meets Wellington Place; thence along Wellington Place to the Point at which the same meets College Square East; thence, Northward, along College Square East to the Point at which the same meets College Square North; thence, Westward, along College Square North to the Point at which the same meets Durham Street; thence, Northward, along Durham Street to the Point at which the same meets Pound Street; thence along Pound Street to the Point at which the same meets the Boundary of the Borough; thence, Northward, along the Boundary of the Borough to the Point at which the same meets the Old Lodge Road; thence, Eastward, along the Old Lodge Road to the Point at which the same meets North Street; thence, Eastward, along North Street to the Point first described.

BELFAST—
continued.

No. 4.—ST. GEORGE'S WARD.

FROM the South-eastern Angle of Donegal Quay, Westward, along Merchants' Quay, to the Point at which the same meets Waring Street; thence along Waring Street to the Point at which the same meets Rosemary Street; thence along Rosemary Street to the Point at which the same meets Hercules Place; thence, Southward, along Hercules Place, and passing in Front of the Northern Bank, to the Northern End of Donegal Place; thence along Donegal Place to the Point at which the same meets Donegal Square North; thence, Eastward, along Donegal Square North to the Point at which the same meets Chichester Street; thence along Chichester Street to the Point at which the same meets the River Lagan; thence, Southward, along the River Lagan to the new Bridge over the River Lagan; thence, Eastward, along the new Road from Belfast to Bangor to the Point at which the same meets the old Road from Belfast to Bangor; thence, Eastward, along the Bangor Road to the Point at which the same crosses the Boundary of the Borough; thence, Northward, along the Boundary of the Borough to the Point in the Channel, Three hundred feet from the West Shore of Belfast Lough; thence in a straight Line to the Point first described.

No. 5.—CROMAC WARD.

FROM the Point at which the Boundary of the Borough crosses Pound Street, Southward, along Pound Street, to the Point at which the same meets Durham Street; thence along Durham Street to the Point at which the same meets College Square North; thence along College Square North to the Point at which the same meets College Square East; thence along College Square East to the Point at which the same meets Wellington Place; thence along Wellington Place to the Point

BELFAST—
continued.

Point at which the same meets Donegal Square North; thence along Donegal Square North to the Point at which the same meets Chichester Street; thence along Chichester Street to the Point at which the same meets the River Lagan; thence, Southward, along the River Lagan to the new Bridge over the River Lagan; thence, Eastward, along the new Road from Belfast to Bangor to the Point at which the same meets the old Road from Belfast to Bangor; thence, Eastward, along the Bangor Road to the Point at which the same crosses the Boundary of the Borough; thence, Southward, along the Boundary of the Borough to the Point first described.

2.—CLONMEL.

GENERAL BOUNDARY,

Being the PARLIAMENTARY BOUNDARY.

FROM the Point at which the Western Inclosure Wall of the House of Industry meets the River Suir, along the said Western Wall to the Point at which the same meets Marl Street; thence along St. Stephen's Lane to the Point at which the same meets the old Cahir Road; thence, Eastward, along the old Cahir Road to the Point at which the same is met by a Lane running Northward; thence, Northward, along the said Lane to the Point at which the same is met by the first Bank on the Right; thence, Eastward, along the said Bank to the Point at which the same is met by a Lane coming from the North and turning to the East; thence, Eastward, along the last-mentioned Lane to the Point at which the same meets Heywood Street; thence along a Bank which runs Eastward from a House a little to the South of the Point last described to the Point at which the said Bank meets a small Bye Lane leading to the Cashel Road; thence, Southward, along the said Cashel Road to the Point at which the same is met by the Southern Boundary Wall of the Park or Pleasure Grounds of Mr. David Malcolmson; thence along the said Boundary Wall to the Point where the said Wall meets Upper Johnson Street; thence, Eastward, along Backbone Lane to the Extremity thereof; thence to a Point in the new Road to Fethard, which Point is Sixty-four Yards to the North of the Spot at which the said Road is crossed by Bonlie Lane; thence, Southward, for Sixty-four Yards to the said Spot where the Fethard Road is crossed by Bonlie Lane; thence, Eastward, along Bonlie Lane for about Six hundred and Forty-four Yards to a Point at which the same is met by a Bank on the right opposite a small House; thence, Southward, along the said Bank for the distance of about Two hundred and nine Yards to the Point where it is met by another Bank running Eastward; thence, Eastward, along the last-mentioned Bank for about Fifty Yards to a Point where the same makes an Angle in turning to the South; thence, Southward, for about Fifty Yards along a Bank which leads to a Bye Road to Powerstown until the said Bank reaches the said Bye Road; thence, Eastward, along the said Bye Road for the Distance of about Two hundred and seventeen Yards to the Spot where it is met by the first Bank on the right; thence in a straight Line to the most Northern Point of a Bank on the Southern Side of the Dublin Road, which Point is distant about Four hundred and Sixty-four Yards from a Stone in Barrack Street which marks the South-eastern Corner of the Ordnance Land; thence along the last-mentioned Bank to the Point at which the same meets the River Suir; thence along the Southernmost Channel of the River Suir as far as Moore's Island; thence along the Channel of the same to the North of Moore's Island to the Point first described.

CLONMEL.

To be divided into Two Wards, according to the following Boundaries; and in every such Ward there shall be Three Aldermen and Nine Councillors.

No. 1.—EAST WARD.

ALL that portion of the Borough situated East of the following Line; viz.—From the Point where the Fethard Road intersects the Municipal Boundary, Southward along Upper Johnson Street to the Point of meeting Main Street; thence, Westward, along Main Street to the Point of meeting Bridge Street, along the Flour Mills, and over the Goat's Bridge, to the Point where that Road intersects the Municipal Boundary.

No. 2.—

CLONMEL—
continued.

No. 2.—WEST WARD.

ALL that Portion of the Borough situated Westward of the Line described in East Ward.

3.—CORK.

GENERAL BOUNDARY.

CORK.

FROM the Point where Silver Stream Lane meets the Dublin Road, Northward, along the said Lane to the Upper Glanmire Road; thence in a straight Line and North Direction to the Spring and Stream that flows into the Glen River; thence follow the Stream to the River; thence, West, along the River Glen to the Eastern Wall of Callaghan's Distillery; thence, Northward, along the said Wall to Spring Lane; thence, East, along Spring Lane to Ballyvo Road; thence in a straight Line and Westerly Direction to the Junction of the Mallow and old Dublin Roads; thence in a straight Line and Westerly Direction to the Junction of Fairfield Lane and Brocklesbury Street; thence in a straight Line and Southerly Direction to the West End of Water Lane; thence to a Point in Fair Lane, Five hundred Yards to the North of the Junction of the said Lane with Corbett's Lane; thence to a Point on the Granagher Road Four hundred Yards from its Junction with Blarney Road; thence in a straight Line to a Junction of the Lane (near Skilla Lane) leading to the City Gaol with the Blarney Road; thence along the Lane leading to the City Gaol to the South-west Corner of the surrounding Wall of the said Gaol; thence in a straight Line to a Point on the Sunday Well Road Three hundred Yards to the East of Wellington Bridge; thence in a straight Line to a Point on the Mardyke Walk Seven hundred Yards to the East of the Lane leading from Wellington Bridge to the said Mardyke Walk; thence in a straight Line to the Road leading to the County Gaol; thence along the said Road to the North-east Corner of the surrounding Wall of the said County Gaol; thence along the said North-east Wall to the Northern Macroom and Bandon Road; thence in a straight Line to a Point on the Bandon Road One hundred and twenty Yards West of the Junction of the said Road with the Southern Macroom and Bandon Road; thence in a straight Line to a Point on the Kinsale Road Three hundred and seventy Yards from the Junction of Lough Lane with the Bandon Road, and measured along the Middle of Lough Lane and the Kinsale Road; thence in a straight Line to the Junction of Poula Duff Road with Gallows Green; thence in a straight Line and South-east Direction to the Point where the New Burying Ground Lane meets Friars Walk; thence along the New Burying Ground Lane to the Curragh Road; thence in a North-east Direction along the Curragh Road to Evergreen Road; thence in a straight Line and North-east Direction to a Point on the Passage Road where a Lane leads from the said Road to the Junction of the Black Rock Road with Boreen Managh Lane; thence along the said Lane to the Point of Junction of the said Black Rock Road and Boreen Managh Lane; thence, East, along the said Black Rock Road to Lucy Ville Lane; thence in a straight Line to the nearest Point of the surrounding Wall of the City Gas Works; thence along the Eastern Wall of the said Gas Works to the nearest Point of the River; thence, Eastward, along the High-water Mark to the Point nearest the Old Castle; thence across the River to the first-named Point.

To be divided into Eight Wards, according to the following Boundaries; and in every such Ward there shall be Two Aldermen and Six Councillors.

No. 1.—

No. 1.—LEE WARD.

FROM the Point where Fair Lane meets the Borough Boundary proceed, Southward, along Fair Lane, Bailly's Lane, Rogerson Lane, Bishop's Lane, Manning's Lane to Dominick Street; Eastward, along Dominick Street to Widderly Lane, along Widderly Lane to the River Lee; Westward, along the River Lee to the Borough Boundary; Northward, along the Borough Boundary to the Point first described.

No. 2.—ST. PATRICK'S WARD.

FROM the point where Fair Lane meets the Borough Boundary proceed, Southward, along Fair Lane, Bailly's Lane, Rogerson Lane, Bishop's Lane, Manning's Lane, to Dominick Street; Eastward, along Dominick Street to Widderly Lane, along Widderly Lane to the River Lee, thence along the River Lee to St. Patrick's Bridge; Northward, up Bridge Street, St. Patrick's Hill, Audley Place; Eastward, along the old Road to Youghal to the Point at which it is intersected by the new Road to Ballyhooly; thence along the new Road to Ballyhooly to the Boundary of the Borough; Westward, along the Boundary of the Borough to the first-named Point.

No. 3.—GLANMIRE WARD.

FROM St. Patrick's Bridge, North, up Bridge Street, St. Patrick's Hill, Audley Place; East, along the old Road to Youghal to the Point at which it is intersected by the new Road to Ballyhooly; thence along the new Road to Ballyhooly to the Borough Boundary; East, along the Borough Boundary to the River Lee; thence, West, along the River Lee to the Point first described.

No. 4.—CORN MARKET WARD.

FROM Parliament Bridge, East, along the South Channel of the River Lee to the Borough Boundary; thence, South, along the Borough Boundary to Friar's Walk; North, along Friar's Walk to Cat Lane; West, along Cat Lane, Bluecoat Street, Abbey Street, Travers Street, Drunam Street; East, along Sullivan's Quay to the Point first described.

CORK—
continued.

No. 5.—ST. FIN BARR'S WARD.

FROM the Point where Friar's Walk meets the Borough Boundary, North, along Friar's Walk to Cat Lane; West, along Cat Lane to Bluecoat Street, along Bluecoat Street, across Abbey Street, along Travers Street, Drunam Street, Sullivan's Quay, to Parliament Bridge; West, along the Southern Branch of the River Lee to South Bridge; Northward, up South Main Street to Great George Street; East, along Great George Street to Wandersford Street, along Wandersford Street to Clarke's Bridge; West, along the South Branch of the River Lee to the Borough Boundary; South, along the Borough Boundary to the Point first described.

No. 6.—MANSION HOUSE WARD.

FROM North Bridge proceed, South, along North Main Street to Great George Street, to Wandersford Street, along Wandersford Street to Clarke's Bridge; thence, West, along the South Branch of the River Lee to the Borough Boundary; North, along the Borough Boundary to the North Branch of the River Lee; East, along the North Branch of the River Lee to the Point first described.

No. 7.—EXCHANGE WARD.

FROM North Bridge proceed, South, along North Main Street, along South Main Street, to South Bridge; East, along the South Channel of the River Lee to the Point opposite Queen Street, thence to Queen Street, along Queen Street to South Mall; West, along South Mall to Marlboro' Street, along Marlboro' Street, across St. Patrick's Street, to Academy Street, along Academy Street, Halfmoon Street, to the North Channel; West, along the North Channel to the Point first described.

No. 8.—

No. 8.—CUSTOM HOUSE WARD.

CORK—
continued.

FROM the Point on the South Channel of the River Lee opposite Queen Street, proceed direct to Queen Street; North, along Queen Street to South Mall; West, along South Mall to Marlboro' Street, along Marlboro' Street, across St. Patrick's Street, to Academy Street, along Academy Street, Halfmoon Street, to the North Channel; East, along the North Channel and round the Island; and West, along the South Channel to the Point first described.

4.—DROGHEDA.

GENERAL BOUNDARY.

DROGHEDA.

FROM the Point called Liberty Bridge near Greenhills on the Left Bank of the River Boyne, East of the Town, where a small Stream enters the River in an Easterly direction, up Cord Lane to the South-east Corner of the Burial Ground; thence, Northerly, along the East Boundary Wall of the Burial Ground up the Lane to Scarlet Lane; thence to the North-west Corner of the Gaol Wall; thence in a straight Line to the North-east Corner of Harman's Garden Wall; thence, Southerly, round the Garden Wall to the South-west Corner; thence in a straight Line to the Cross Roads at the Top of Windmill Lane; thence to the North Road to the Point where the Parliamentary Boundary crosses it; thence in a straight Line, along the Parliamentary Boundary, to the South-west Corner of Laburnum Nursery, being about Three hundred Yards; thence in a straight Line to the Junction of Mill Lane and Collon Road; thence in a straight Line to Low-water Mark, left Bank of the River; thence, diagonally across the River, down Stream to a Sluice where a small Stream enters the River and the Parliamentary Boundary crosses; thence to the South End of Mr. Ball's House, Ball's Grove; thence to the Junction of a Lane coming from the South with the Road to Navan and the Black Lion near a Stone Quarry, and about Two hundred and fifty Yards South of the River; thence in a straight Line to Levan's Bridge; thence, keeping the Course of the Brook, Westerly, to Cooley Bridge; thence in a straight Line to the South-east Angle of the Boundary Wall of St. Mary's Churchyard, being Part of the old Town Walls; thence in a straight Line to the Dublin Road at the Point of Junction with a Lane running North from Cromwell's Mount; thence in a straight Line to the East End of Mr. Weir's new House on the Road to Morningtown; and thence across the River to the Point first described.

To be divided into Three Wards, according to the following Boundaries; and in every such Ward there shall be Two Aldermen and Six Councillors.

No. 1.—WEST GATE WARD.

COMMENCING at the Borough Boundary on the North Road, and thence in a South-easterly Direction down the Centre of the North Road to its Intersection with Fair Street; thence, Easterly, down Fair Street to its Intersection with Scholes Lane; thence, Southerly, down Scholes Lane to its Intersection with West Street; thence, Easterly, down West Street to its Intersection with Shop Street; thence, Southerly, down Shop Street, over the Bridge, up the Bull Ring, to its Intersection with Barrack Lane; thence, South-westerly, up Barrack Lane, past the Barracks, to its Intersection with Duleek Street; thence up Duleek Street to the Borough Boundary at Cooley Bridge; thence, Westerly, round the Borough Boundary, across the River, along the Boundary, to the Point first named. The whole of the Area within this Line to form West Gate Ward.

No. 2.—FAIR GATE WARD.

COMMENCING at the Borough Boundary on the North Road as before, and coming in a South-easterly Direction down the Centre of the North Road to its Intersection with Fair Street; thence, Easterly,
down

down Fair Street to its Intersection with Scholes Lane; thence, Southerly, down Scholes Lane to its Intersection with West Street; thence, Easterly, down West Street to its Intersection with Peter Street; thence, Northerly, up Peter Street to where it meets the Ends of William Street and Fair Street; thence, Easterly, down William Street to its Intersection with Palace Street; thence, Northerly, up Palace Street to its Intersection with Scarlet Lane; thence, Easterly, down Scarlet Lane to the Borough Boundary; thence, Westerly, round the Borough Boundary to the Point first named on the North Road. The whole of the Area within this Line to form Fair Gate Ward.

DROGHEDA--
continued.

No. 3.—ST. LAWRENCE GATE WARD.

COMMENCING at the West End of St. Lawrence Street, where that Street, Peter Street, West Street, and Shop Street all meet; thence, Northerly, up Peter Street till it meets the Ends of Fair Street and William Street; thence, Easterly, down William Street to its Intersection with Palace Street; thence, Northerly, up Palace Street to its Intersection with Scarlet Lane; thence, Easterly, down Scarlet Lane to the Borough Boundary; thence, Southerly, along the Borough Boundary, crossing the River, and continuing along the Boundary, to Cooley Bridge; thence, Northerly, down Duleek Street, along the Eastern Boundary of West Gate Ward, to the Intersection of Shop Street, Lawrence Street and Peter Street, being the Point first named. The whole of the Area within this Line to form St. Lawrence Gate Ward.

5.—DUBLIN.

GENERAL BOUNDARY.

DUBLIN.

FROM the Point of Intersection of Park Gate Street with a Road running Northerly along the Phoenix Park Wall, along the said Phoenix Park Wall until it meets the Circular Road, and Easterly, along the Circular Road to the West End of the Roman Catholic Chapel of Saint Peter; thence, Northerly, in a straight Line to the West End of Mr. Hay's Mill about Three hundred and Sixty Yards to the Westward of Westmoreland Bridge across the Royal Canal; thence in a direct Line across the Royal Canal to its Northern Bank; thence, South-east, along the Northern Bank of the Royal Canal to Jones's Bridge; thence, Northward, along the Road forming the Continuation of Russell Street and Jones's Bridge to its Junction with the Clonliffe Road; thence, South-eastward, along said Clonliffe Road and Ballybough Bridge to the Centre of said Ballybough Bridge; thence, Easterly, along the Centre of the River Tolka to the Centre of Annesley Bridge; thence, South-east, in the Direction of a Point distant perpendicularly Northward Three hundred Yards from the South-east Corner of the Wall extending from Annesley Bridge to the East Wall, to the Point where such Line is intersected by the Prolongation of a Line drawn between Two Points, the one distant Three hundred Yards perpendicularly Eastward from the North-east Corner of the East Wall, the other distant perpendicularly Three hundred Yards Eastward from the South-east Corner of Mr. Halpin's Patent Slip in the Ballast Office Yard; thence, Southward, along the last-mentioned Line and in Continuation thereof until that Line reaches the Mid Channe of the River Liffey; thence, Westward, along the Mid Channel of the River Liffey until the Line thus drawn is intersected by a Line drawn from the Centre of Ringsend Bridge to a Point on the North Wall Two hundred and Forty Yards (measured along the said Wall) from its Eastern Termination; thence, Southerly, along the last-mentioned Line to the Centre of Ringsend Bridge; thence, Westward, along the Road to Dublin (being a Continuation of Great Brunswick Street) until it intersects Barrow Street; thence,

thence, Southward, along Barrow Street to its Point of Intersection with Grand Canal Street; thence, Westward, along Grand Canal Street to Macquay Bridge; thence, in a Westerly direction, along the Southern Bank of the Grand Canal to its Point of Intersection with the Branch leading to the City Basin near Griffith Bridge; thence, Northward, in a straight Line to the Turnpike Gate, No. 3, at the South-west Angle of the Circular Road; thence, Northward, along the said Road, through Island Bridge, and over Sarah Bridge across the Liffey, to its Point of Intersection with Conyngham Road; thence, Eastward, along Conyngham Road and Park Gate Street to the Point first described.

To be divided into Fifteen Wards, according to the following Boundaries; and in every such Ward there shall be One Alderman and Three Councillors.

No. 1.—COLLEGE WARD.

FROM the Centre of Carlisle Bridge, Southward, along Carlisle Bridge, Westmoreland Street, the East Side of College Green and Grafton Street, to the Point of Intersection of said Grafton Street with Nassau Street; thence, South-east, along Nassau Street and Leinster Street to the Point of Intersection of said Leinster Street with Park Street; thence, Eastward, along Park Street and Harcourt Place, to the Point of Intersection of said Harcourt Place with Cumberland Street; thence, Northward, along Cumberland Street to its Point of Intersection with Great Brunswick Street; thence, East, along Great Brunswick Street, the Dublin Road and Ringsend Bridge, to the Borough Boundary; thence, Northward, along the Borough Boundary to the Middle Channel of the River Liffey; thence, West, through the Middle Channel of the River Liffey to the Point first described.

No. 2.—MERRION WARD.

FROM the Point of Intersection of Nassau Street with Dawson Street South, along Dawson Street to the Point of Intersection of said Dawson Street with Saint Stephen's Green North; thence, South-east, along Saint Stephen's Green North and Merrion Row to the Point of Intersection of said Merrion Row with Upper Merrion Street; thence, Northward, along Upper Merrion Street to its Point of Intersection with Merrion Square South; thence, South-east, along Merrion Square South, Upper Mount Street and Huband Bridge, to the East End of said Huband Bridge; thence, North-east, along the Eastern Bank of the Grand Canal to Macquay Bridge; thence, South-east, along Grand Canal Street to its Point of Intersection with Barrow Street; thence, Northward, along Barrow Street to its Point of Intersection with Great Brunswick Street; thence, Westward, along Great Brunswick Street to its Point of Intersection with Cumberland Street; thence, Southward, along Cumberland Street to its Point of Intersection with Harcourt Place; thence, Westward, along Harcourt Place and Park Street to the Point of Intersection of said Park Street with Leicester Street; thence, North-west, along Leicester Street and Nassau Street to the Point first described.

No. 3.—ST. STEPHEN'S WARD.

FROM the Point of Intersection of Mercer Street with King Street South, Southward, along Mercer Street and French Street to the Point of Intersection of said French Street with Cuff Street; thence, Eastward, along Cuff Street to its Point of Intersection with Harcourt Street; thence, Southward, along Harcourt Street to its Point of Intersection with the Circular Road; thence, South-east, along the Circular Road and Eustace Bridge to the South End of said Eustace Bridge; thence, North-east, along the Southern Bank of the Grand Canal to the East End of Huband Bridge; thence, North-west, along Huband Bridge, Upper Mount Street, and Merrion Square South, to the Point of Intersection of said Merrion Square South with Upper Merrion Street; thence, South-west, along Upper Merrion Street to its Point of Intersection with Merrion Row; thence, North-west, along Merrion Row, Stephen's Green North, and King Street South, to the Point first described.

No. 4.—

DUBLIN—
continued.

No. 4.—ST. ANDREW'S WARD.

FROM the Centre of Carlisle Bridge, Southward, along Carlisle Bridge, Westmoreland Street, the East Side of College Green, and Grafton Street, to the Point of Intersection of said Grafton Street with Nassau Street; thence, Eastward, along Nassau Street to its Point of Intersection with Dawson Street; thence, Southward, along Dawson Street to its point of Intersection with Stephen's Green North; thence, North-west, along Stephen's Green North and King Street South to the Point of Intersection of said King Street South with Johnston's Place; thence, North-west, along Johnston's Place and Lower Stephen Street to the Point of Intersection of said Lower Stephen Street with Drury Lane; thence, Northward, along Drury Lane to its Point of Intersection with Fade Street; thence, Westward, along Fade Street to its Point of Intersection with Great George's Street South; thence, Northward, along Great George's Street South to its Point of Intersection with Dame Street; thence, Westward, along Dame Street to its Point of Intersection with Parliament Street; thence, Northward, along Parliament Street and Essex Bridge to the Centre of Essex Bridge; thence, Eastward, through the Middle Channel of the River Liffey to the Point first described.

No. 5.—CASTLE WARD.

FROM a Point in the Centre of the River Liffey One hundred and Sixty Yards Westward from Essex Bridge, Southward, to the Point of Intersection of Fishamble Street with Essex Quay; thence, Southward, along Fishamble Street, Werburgh Street, and Bride Street, to the Point of Intersection of said Bride Street with Bishop Street; thence, Eastward, along Bishop Street to its Point of Intersection with Redmond Hill; thence, Southward, along Redmond Hill to its Point of Intersection with Cuff Street; thence, Eastward, along Cuff Street to its Point of Intersection with French Street; thence, Northward, along French Street and Mercer Street to the Point of Intersection of said Mercer Street with King Street South; thence, North-west, along Johnston's Place and Lower Stephen Street to its Point of Intersection with Drury Lane; thence, Northward, along Drury Lane to its Point of Intersection with Fade Street; thence, Westward, along Fade Street to its Point of Intersection with Great George's Street South; thence, North, along Great George's Street South to its Point of Intersection with Dame Street; thence, Westward, along Dame Street to its Point of Intersection with Parliament Street; thence, Northward, along Parliament Street and Essex Bridge to the Centre of Essex Bridge; thence, Westward, through the Middle Channel of the River Liffey to the Point first described.

DUBLIN—
continued.

No. 6.—ST. PATRICK'S WARD.

FROM a Point in the Centre of the River Liffey One hundred and Sixty Yards Westward from Essex Bridge, South, to the Point of Intersection of Fishamble Street with Essex Quay; thence, Southward, along Fishamble Street, Werburgh Street, and Bride Street, to the Point of Intersection of said Bride Street with Bishop Street; thence, Eastward, along Bishop Street to its Point of Intersection with Redmond Hill; thence Southward, along Redmond Hill to its Point of Intersection with Cuff Street; thence, Eastward, along Cuff Street to its Point of Intersection with Harcourt Street; thence, Southward, along Harcourt Street to its Point of Intersection with the Circular Road; thence, South-east, along the Circular Road and Eustace Bridge to the South End of said Eustace Bridge; thence, Westward, along the Southern Bank of the Grand Canal to Clanbrassil Bridge; thence, Northward, along Clanbrassil Bridge, Clanbrassil Street, New Street, Patrick Street, and Nicholas Street, to the Point of Intersection of said Nicholas Street with Back Lane; thence, North-west, along Back Lane to its Point of Intersection with

with High Street; thence, Eastward, along High Street to its Point of Intersection with School-house Lane; thence, Northward, along School-house Lane and Skipper's Alley to the Point of Intersection of said Skipper's Alley with Merchant's Quay; thence, Northward, in a straight Line to a Point in the Centre of the River Liffey Ninety Yards West of Richmond Bridge; thence, Eastward, through the Middle Channel of the River Liffey to the Point first described.

No. 7.—ST. AUDEON'S WARD.

FROM a Point in the Centre of the River Liffey One hundred and Fifty-five Yards Westward from Whitworth Bridge, Southward to the Point of Intersection of Meeting-house Yard with Usher's Quay; thence, Southward, along Meeting-house Yard and New Row to the Point of Intersection of said New Row with Thomas Street; thence, Westward, along Thomas Street to its Point of Intersection with Meath Row; thence, Southward, along Meath Row, Meath Street, Brabazon Street, and Brabazon Row, to the Point of Intersection of said Brabazon Row with New Market; thence, Westward, along New Market and Chamber Street to the Point of Intersection of said Chamber Street with Weaver's Square; thence, Southward, along Weaver's Square to its Point of Intersection with Brown Street; thence, Westward, along Brown Street to its Point of Intersection with Love Lane; thence, Southward, along Love Lane and Parnell Bridge to the South End of said Parnell Bridge; thence, Eastward, along the Southern Bank of the Grand Canal to Clanbrassil Bridge; thence, Northward, along Clanbrassil Bridge, Clanbrassil Street, New Street, Patrick Street, and Nicholas Street, to the Point of Intersection of said Nicholas Street with Back Lane; thence, North-west, along Back Lane to its Point of Intersection with High Street; thence, Eastward, along High Street to its Point of Intersection with School-house Lane; thence, Northward, along School-house Lane and Skipper's Alley to the Point of Intersection of said Skipper's Alley with Merchant's Quay; thence, Northward, in a straight Line to a Point in the Centre of the River Liffey Ninety Yards Westward from Richmond Bridge; thence, Westward, through the Middle Channel of the River Liffey to the Point first described.

DUBLIN—
continued.

No. 8.—ST. CATHERINE'S WARD.

FROM the Point in the Centre of the River Liffey One hundred and Fifty-five Yards Westward from Whitworth Bridge, Southward, to the Point of Intersection of Meeting-house Yard with Usher's Quay; thence, Southward, along Meeting-house Yard and New Row to the Point of Intersection of said New Row with Thomas Street; thence, Westward, along Thomas Street to its Point of Intersection with Meath Row; thence, Southward, along Meath Row, Meath Street, Brabazon Street, and Brabazon Row, to the Point of Intersection of said Brabazon Row with New Market; thence, Westward, along New Market and Chamber Street to the Point of Intersection of said Chamber Street with Weaver's Square; thence, Southward, along Weaver's Square, to its Point of Intersection with Brown Street; thence, Westward, along Brown Street to its Point of Intersection with Love Lane; thence, Southward, along Love Lane and Parnell Bridge to the South End of Parnell Bridge; thence, North-West, along the Southern Bank of the Grand Canal to its Point of Intersection with the Branch leading to the City Basin near Griffith Bridge; thence, East, along the Middle Channel of said Branch of the Grand Canal to a Point opposite Forbes Lane; thence, Eastward, along Forbes Lane to its Point of Intersection with Marrowbone Lane; thence, North-east, along Marrowbone Lane, Thomas Court, Bridgefoot Street, and Queen's Bridge, to the Centre of Queen's Bridge; thence, Eastward, through the Middle Channel of the River Liffey to the Point first described.

No. 9.—

No. 9.—ST. JAMES'S WARD.

FROM the Centre of Sarah Bridge, Southward, along Sarah Bridge, through Island Bridge, and along the Circular Road, to the Turnpike Gate, No. 3, on the South-west Corner of the Circular Road; thence, Southward, in a straight Line to the Point of Intersection of the Grand Canal with the Branch leading to the City Basin near Griffith Bridge; thence, East, along the Middle Channel of said Branch of the Grand Canal to a Point opposite Forbes Lane; thence, East, along Forbes Lane to its Point of Intersection with Marrowbone Lane; thence, North-east, along Marrowbone Lane to its Point of Intersection with Thomas Court; thence, Northward, along Thomas Court, Bridgefoot Street, and Queen's Bridge, to the Centre of Queen's Bridge; thence, Westward, through the Centre of the River Liffey to the Point first described.

No. 10.—ST. PAUL'S WARD.

FROM the Centre of Sarah Bridge, in a Northerly Direction, along the Borough Boundary to its Intersection with the Bradogue Water to the North-west Angle of the Richmond Penitentiary; thence, Southward, along the West Front of the Richmond Penitentiary to the South-west Angle of the said Penitentiary; thence, Southward, along Grange Gorman Lane and George's Lane to the Point of Intersection of said George's Lane with King Street North; thence, Eastward, along King Street North to its Point of Intersection with Smithfield; thence, Southward, along Smithfield and Arran Street East, across Arran Quay to a Point in the Centre of the River Liffey; thence, Westward, along the Middle of the Channel of the River Liffey to the Point first described.

No. 11.—FOUR COURTS WARD.

DUBLIN—
continued.

FROM the Point of Intersection of the West Branch of the Royal Canal, leading from the Royal Canal Harbour with the Borough Boundary; Northward, along the Borough Boundary to its Point of Intersection with the Bradogue Water, on the Circular Road; thence, Southward, along the Bradogue Water to North-west Angle of the Richmond Penitentiary; thence, South, along the West Front of the Richmond Penitentiary to the South-west Angle of the said Penitentiary; thence, South, along Grange Gorman Lane and George's Lane to the Point of Intersection of said George's Lane with King Street North; thence, Eastward, along King Street North to its Point of Intersection with Smithfield; thence, Southward, along Smithfield and Arran Street East, across Arran Quay, to a Point in the Centre of the River Liffey; thence, Eastward, along the Middle Channel of the River Liffey to a Point opposite Chancery Place; thence, Northward, along Chancery Place, Mountrath Street, Greek Street, and Beresford Street, to its Point of Intersection with King Street North; thence, Eastward, along King Street North to its Point of Intersection with Coleraine Street; thence, Northward, along Coleraine Street and Constitution Hill, to a Point in the Centre of the Foster Aqueduct; and thence, Northward, along the said Branch of the Royal Canal to the Point first described.

No. 12.—LINEN HALL WARD.

FROM that Point in the Centre of the River Liffey which is opposite to Swift's Row, Northward, across Ormond Quay, to the Centre of the South End of Swift's Row; thence, Northward, along Swift's Row, and Jervis Street, to its Point of Intersection with Great Britain Street; thence, Eastward, along Great Britain Street, to its Point of Intersection with Granby Row; thence, Northward, along Granby Row, Rutland Square West, and Granby Row, to its Point of Intersection with Upper Dorset Street; thence, North-east, along Upper Dorset Street, to its Point of Intersection with Blessington Street; thence, along Blessington Street, and in a straight line across the

Royal

Royal Canal Reservoir, to a Point in the Centre of the West Branch of the Royal Canal; thence, Southward, along the same to the Centre of Foster Aqueduct; thence, Southward, along Constitution Hill, and Coleraine Street, to its Point of Intersection with North King Street; thence, Westward, along North King Street, to its Point of Intersection with Beresford Street; thence, Southward, along Beresford Street, Greek Street, Mountrath Street, and Chancery Place, across the Quay, to a Point in the Centre of the River Liffey; thence, Eastward, along the Middle Channel of the River Liffey, to the Point First described.

NO. 13.—ST. GEORGE'S WARD.

FROM the Point of Intersection of the West Branch of the Royal Canal, leading from the Royal Canal Harbour with the Borough Boundary; South-east, along the Borough Boundary to Ballybough Bridge; thence, South-west, along Spring Garden Parade, Foster Street, Edward Terrace, Clarke Bridge, Summer Hill Parade, Summer Hill, and Great Britain Street, to the Point of Intersection of said Great Britain Street with Granby Row; thence, Northward, along Granby Row, Rutland Square West, and Granby Row, to its Point of Intersection with Upper Dorset Street; thence, North-east, along Upper Dorset Street, to its Point of Intersection with Blessington Street; thence, along Blessington Street, and in a straight line, across the Royal Canal Reservoir to a Point in the Centre of the said West Branch of the Royal Canal; and thence, North-east, along the same to the Point first described.

DUBLIN—
continued.

NO. 14.—POST OFFICE WARD

FROM that Point in the Centre of the River Liffey which is opposite Swift's Row, Northward across Ormond Quay, to the Centre of the South-end of Swift's Row; thence, Northward, along Swift's Row and Jervis Street, until it intersects Great Britain Street; thence, Eastward, along Great Britain Street, until it is intersected by Marlborough Street; thence, Southward, along Marlborough Street, across Eden Quay, to the Centre of the River Liffey; thence, Westward, along the Centre of the River to the Point first described.

NO. 15.—CUSTOM HOUSE WARD.

FROM that Point in the Centre of the River Liffey which is opposite Marlborough Street; thence, Northward, across Eden Quay, to the Centre of the South End of Marlborough Street; thence, Northward, along Marlborough Street, until it intersects Great Britain Street; thence, Eastward, along Great Britain Street, Summer Hill, and Summer Hill Parade; thence, Northward, until it intersects the Borough Boundary, at Ballybough Bridge; thence, along the said Boundary, until it joins the River Liffey, and in the same direction to the Centre of the said River; thence, Westward, to the Point first described.

6.—GALWAY.

GENERAL BOUNDARY.

FROM the South-eastern Angle of the House called Bellmount (now the Property of William Kelly, Esq.) on the Eastern Side of the Oughterard Road, Eastward, in a straight Line to the Point on the Southern Shore of Turlough, at which a Lane leaves such Shore and meets the Bohermore Road at about Six hundred and Eighty Yards North-eastward of the Entrance Gate of the County Infirmary; thence along the said Lane to its Point

GALWAY.

Point of Junction with the Bohermore Road; thence, Southward, in a straight Line to the South-eastern Angle of the College on the Northern Side of the College Road; thence, Southward, in a straight Line to the Direction of the Edge of the Steep Cliff which forms the Western Shore of Hare Island, to the Point at which such straight Line meets the Northern Shore of Lough Athalia; thence, South-westward, in a straight Line to the Eastern Point of the new Pier called Slate Pier; thence, Westward, along the Shore of Galway Bay to the Point at which it is intersected by a Line from the Lighthouse in Mutton Island to the Tower of the House called "Fort Eyre," (now in the occupation of the Reverend Edward Eyre Maunsell); thence, North-westward, along such Line to a Point One hundred and five Yards North-westward from the Northern Side Wall of the Road to the Village of Boherard; thence, North-eastward, in a straight Line to the Point first described.

To be divided into Three Wards, according to the following Boundaries; and in every such Ward there shall be Two Aldermen and Six Councillors.

No. 1.—WEST WARD.

GALWAY—
continued.

FROM the Point at which Lough Corrib cuts the Municipal Boundary, Southward, down the Centre of the Lough to the New Bridge; thence down the Centre of the River Galway to the West Bridge; thence in a right Line to the Head of the Pier forming the Northern Side of the Fishing Boats Harbour; thence along the Bank of the River of Galway to the Head of the Slate Pier; thence, Westward, along the Municipal Boundary to the Point first described.

No. 2.—NORTH WARD.

FROM the Point at which Lough Corrib cuts the Municipal Boundary, Southward, down the Centre of the Lough to the New Bridge; thence down the Centre of the River of Galway to the West Bridge; thence, Eastward, along the West Bridge, Bridge Street, the Main Guard, Shop Street, William Street, the North Side of Eyre or Meyrick Square, and Bohermore Road, to the Municipal Boundary; thence, Northward, along the Municipal Boundary to the Point first described.

No. 3.—SOUTH WARD.

FROM the Point at which the Bohermore Road cuts the Municipal Boundary, Westward, along the Bohermore Road, the North Side of Eyre or Meyrick Square, William Street, Shop Street, the Main Guard and Bridge Street; thence, South-eastward, along the Bank of the River Galway and the Sea Shore to the Municipal Boundary; thence, Northward, along the Municipal Boundary to the Point first described.

7.—KILKENNY.

GENERAL BOUNDARY.

KILKENNY.

FROM the Point South-west of the City, where the Brega River crosses the Road to Clonmel, following the Course of the River Northerly, to the Point where the River makes a sudden turn to the Eastward, and where the Mill Stream, from a ruined Factory West of the River, meets the River Brega; thence in a straight Line to the Point on the Bonnets-town Road, where a Bye-road leading to Lousy Bush leaves the Bonnets-town Road; thence in a straight Line to the Point at the South End of Farmhouse

KILKENNY—
continued.

Farmhouse on the Western Road to Freshford, belonging to Mr. Purcell, and occupied by Michael M'Donell; thence in a straight Line across the main Road to Freshford, and across the River Nore to the Point where the Road to Ballyragget, along the River, leaves the old Road to Castlecomer, and just North of the Police Station at Mount Brilliant; thence following the old Road to Castlecomer to the Point where it joins the new Road leading from the Barracks at a new House belonging to Mr. Nowlan; thence in a straight Line to the Point at the North-east Corner of the Barrack Enclosure, and following the Back or Eastern Wall of the Barracks to the South-eastern Corner thereof on the Road to John's Well at the Point; thence in a straight Line across the Clara Road and across Williams' Lane to a remarkable Building on a Hill East of the City, belonging to Mr. Purcell, called the Gazebo; thence in a straight Line across the River Nore to the Point at the South-eastern Corner of Mr. Scott's Garden on the Road to Bennett's Bridge; thence, following the Southern Enclosure of the said Garden and of the adjoining Garden of Switzer's Asylum, to the Point where it meets a Lane leading from the Bennett's Bridge Road to the Waterford Road; thence following the said Lane to the Point where it joins the Waterford Road; thence in a straight Line to the Point at the South-western Corner of the Enclosure of the House of Correction; thence following the Western Side of the Enclosure Wall, to the Point where, if produced, it would meet the Road to Kells; thence, Westerly, along the Road to Kells to the Point where a Quarry on the North Side of the Road joins the said Road, and about One hundred Yards from the Point; thence, turning Northerly, along a Stone Wall about Ninety Yards to the Point where the said Stone Wall meets a Lane called Waters's Lane, leading from Upper Patrick Street towards Mr. Robertson's House called "Rose Hill;" thence along the said Lane, Westerly, to the Point where it crosses the River Brega, South of Rose Hill; thence along the Brega to the Point first described.

To be divided into Two Wards, according to the following Boundaries; and in every such Ward there shall be Three Aldermen and Nine Councillors.

No. 1.—ST. CANICE'S WARD.

ALL that Portion of the Borough situated Westward of the following Line; viz. from the Point where the Road from Waterford intersects the Municipal Boundary, along that Road to the Point where it joins Upper Patrick Street; thence along Upper Patrick Street, Patrick Street, Rose Inn Street, to its Point of meeting with King Street or Back Lane, Coal Market, Watergate, Bull Alley, Vicar's Street, Bishop's Hill, and thence along the main Road to Freshford, to the Point where the Road intersects the Municipal Boundary.

No. 2.—ST. JOHN'S WARD.

ALL that Portion of the Borough situated Eastward of the Line described in St. Canice's Ward.

S.—LIMERICK.

GENERAL BOUNDARY.

LIMERICK.

FROM the Point at the North of King's Island where the Salmon Weir River flows from the Shannon; thence along the Course of the Shannon to the North-east; and thence, Southward, to the Point at which the same is joined by the Head of the Canal; thence, Westward, along the Canal to the Centre of Park Bridge, which crosses the Canal; thence, in a straight Line, to the Centre of the Cupola upon the Top of the Lunatic Asylum; thence, in a straight Line and South-westerly Direction, to the Point

Point in the Roxborough Road where it is met by Wilmont Lane; thence along Wilmont Lane to the West Pier of a Gate belonging to Mr. Maloney on North Side of said Lane, and nearly opposite to Wilmont Villa; thence, in a straight Line and North-westerly Direction, across Mr. Maloney's Field and Two other Fields till it reaches the Extremity of a small Lane; thence, continuing along said Lane, past the Limestone Quarry of William Hargan until it reaches Bohirboy Road; thence, Westerly, along Bohirboy till it reaches Hore's Street; thence, North-westerly, along Hore's Street to the South Circular Road; thence, North-easterly, about Twenty-three Yards along the Circular Road to where Court Brack Avenue leads off North-westerly; thence, North-westerly, along Court Brack Avenue till it reaches Harvey's Quay, situated at the End of the said Avenue; thence in a straight Line across the Shannon to Barrington's Quay upon the Clare Side near the old Ruins of Kilyush Church; thence, about Two hundred Yards North-easterly along Barrington's Quay, to the North Circular Road; thence, North-westerly, and following the direction of the Circular Road to where it meets the Shelbourne and Farrenshowen Roads; thence along the Farrenshowen Road to where it crosses the new Ennis Mail Road at nearly Half a Mile from Wellesley Bridge; thence continuing about One hundred Yards up the Farrenshowen Road to where there is a Cottage at a Turn in the Road; thence in a straight Line to the Point where the Killaloe Road meets the old North Ennis Road; thence along the Killaloe Road to the Point where it meets the Black Stick Road; thence in a straight Line to the Point first described.

To be divided into Five Wards, according to the following Boundaries; and in every such Ward there shall be Two Aldermen and Six Councillors.

No. 1.—THOMOND BRIDGE WARD.

LIMERICK—
continued.

FROM the Point of Barrington Quay, along the Municipal Boundary, to the Point at which the Head of the Canal joins the Shannon; thence, Westward, along the Canal by Park Bridge, through Ball's Bridge, till it reaches the Shannon; thence, South-westerly, along the Shannon to the Point first described.

No. 2.—JOHN STREET WARD.

FROM the Commencement of the Canal in the Salmon Weir River to the Centre of the Park Bridge which crosses the Canal; thence, in a straight Line to the Centre of the Cupola of the Lunatic Asylum; thence, in a straight Line to the Point where the Wilmont Road meets the Roxborough Road; thence, Northerly, along the Roxborough Road, Upper William Street, High Street, Mungret Street, Broad Street, to the Centre of Ball's Bridge; thence to the Point first described.

No. 3.—PATRICK STREET WARD.

FROM the Shannon by a straight Line along Spraight's Quay and Horan's Quay, and thence through Denmark Street, and the new Street leading from Denmark Street to High Street; thence, Eastward, through High Street, Margaret Street, Mungret Street, Broad Street, to the Centre of Ball's Bridge; thence along the Stream passing under New Bridge to the Shannon, and along its Course, Southward, to the point first described.

No. 4.—WILLIAM STREET WARD.

FROM the Shannon, along the Southern extremity of Patrick Street Ward to High Street; thence, Southward, along the Boundary of John Street Ward, to the point at which Soxton Street joins Upper William Street; thence, Westward, along Soxton Street to the point at which the same joins Wickham Street; thence, along Roche's Street and Shannon Street to the Shannon; thence to the point first described.

No. 5.—

No. 5.—RICHMOND PLACE WARD.

LIMERICK—
continued.

From the Shannon, along the Municipal Boundary, to the extreme Southerly Point; thence, Northwards, along the same Boundary to the John Street Ward Boundary; thence along the John Street Ward Boundary to the William Street Ward Boundary; thence along the William Street Ward Boundary to the Shannon, and along its Course, Westwards, to the Municipal Boundary.

9.—LONDONDERRY.

GENERAL BOUNDARY.

LONDON-
DERRY.

FROM a stout Masonry Pillar North Side of Gateway at Black Bush Cottage on West Side of the Road to Fahan, Eastward, by a straight Line to the West End of the Brick Wall forming a Part of the North Boundary of the Premises of the Free Grammar School of Foyle Academy; thence, Easterly, along the above-mentioned Brick Wall to its Eastern Termination at the High Road on the Bank of the River Foyle; thence, Eastward, in a straight Line, in continuation of the Line of the Brick Wall last-mentioned, until the same arrives at the Point being its Intersection of the ordinary Low-water Mark on the East Shore of the River Foyle; thence, Southward, along the Line of the ordinary Low-water Mark until such Line is terminated by the Prolongation Westward of the Line of the South Boundary Fence of the Pleasure Grounds of the late William Bond, Esquire; thence, Eastward, along the Line of the above-mentioned Boundary Fence of Pleasure Grounds until it arrives at its Point of Intersection with the East Side of the Road to Newtown Limavady; thence, South-easterly, in a straight Line to a stout Masonry Pillar West Side of a Gateway on the South Side of the Dungiven Road, about Fifty Yards East of Newtown Limavady Road; thence, Southerly, in a straight Line to a Point on the Clondermot Road where the North Boundary Fence of the Tannery Premises of Mr. William M'Carter terminates; thence, South-westerly, in a straight Line to the Point on the Road to Dunymagh, distant Two hundred and Fifty Feet from its Point of Junction with the old Strabane Road; thence, Westerly, in a straight Line to the Point on the old Strabane Road where a Lane departs Southerly to the Fields; thence, Westerly, along the old Strabane Road to the South-westernmost Gable of the Houses at Gobnascale on the North-west side of said old Strabane Road; thence, Westerly, in a straight Line to a Point in the Townland Boundary between Gobnascale and Tamnymore where said Boundary is met by a Lane from the North-east; thence, North-westerly, in continuation and prolongation of the last-mentioned Townland Boundary, until it meets and intersects the Line of ordinary Low-water Mark on the East Shore of the River Foyle; thence, South-westerly along the Line of the ordinary Low-water Mark, until it is intersected by a Line drawn from the North-east Angle of Foyle Hill Park across the River Foyle to the Cottage about One hundred and Sixty Yards East of the Point of Intersection of the Boundary between the Townland of Gobnascale and Tamnymore and the old Strabane Road; thence, North-westerly, along the intersecting Line just mentioned to the North-east Angle of the Boundary Fence of Foyle Hill Park; thence, North-westerly, along the Boundary Fence of Foyle Hill Park to the Point where it meets Long Moor Lane; thence, North-westerly, along the North Boundary Fence of Foyle Hill Park to a Point Two hundred Feet West of Long Moor Lane; thence North-easterly, in a straight line to the North End of the Brick Wall forming the Western Boundary Fence of Walker's Nurseries; thence, North-easterly, along the Western Boundary of the Nursery Grounds to a Point on the Road to Newton Cunningham

Cunningham where it forms a sharp Angle; thence, Northerly, in a straight Line to a Point in the Avenue leading to the Deer Park at Two hundred Feet distant Westward from the Entrance Gate in Long Moor Lane; thence, North-easterly, in a straight Line to the South-west End of the Rope Walk on the Creggan Road; thence, North-easterly, in a straight Line to a Point in the Lane leading Westward from the Gate at the Black Bush Cottage at One hundred Feet Distance Westward of said Gate; thence, Eastward, One hundred Feet along last-mentioned Lane to the Point on the Fahan Road already described.

To be divided into Three Wards, according to the following Boundaries; and in every such Ward there shall be Two Aldermen and Six Councillors.

No. 1.—NORTH WARD.

FROM the Corporation Hall in a straight Line to the Point at which Ship Quay Street meets the Diamond; thence along Ship Quay Street to the Point at which the same meets the Wooden Quay; thence along the Wooden Quay and along a straight Line drawn in prolongation of the Wooden Quay to the Point at which such straight Line cuts the Boundary of the Borough; thence, Northward, along the Boundary of the Borough to the Point at which the same meets the Avenue to the Bishop's Demesne; thence, Eastward, along the said Avenue to the Point at which the same meets Long Moor Lane; thence along Long Moor Lane to the Point at which the same meets the Rope Walk; thence along the Rope Walk to the Point at which the same meets St. Columb's Well Road; thence, Northward, along St. Columb's Well Road to the Point at which the same meets the Cow Bog; thence along the Cow Bog to Butcher Gate; thence along Butcher Street to the Point at which the same meets the Diamond; thence in a straight Line to the Point first described.

No. 2.—EAST WARD.

FROM the Corporation Hall in a straight Line to the Point at which Ferry Quay Street meets the Diamond; thence along Ferry Quay Street to the Point at which the same meets Pump Street; thence along Pump Street to the Point at which the same meets Widow's Row; thence, Southward, along Widow's Row to the Point at which the same meets Fountain Street; thence, Westward, along Fountain Street to the Point at which the same meets Wapping Lane; thence along Wapping Lane to the Point at which the same meets the River Foyle; thence, Southward, along the River Foyle to the Point at which the same meets the Boundary of the Borough; thence, Eastward, along the Boundary of the Borough to the Point at which the same crosses a straight Line drawn in prolongation of the Wooden Quay; thence along such straight Line to the Eastern End of the Wooden Quay; thence along the Wooden Quay to the Point at which the same meets Ship Quay Street; thence along Ship Quay Street to the Point at which the same meets the Diamond; thence in a straight Line to the Point first described.

No. 3.—SOUTH WARD.

FROM the Corporation Hall in a straight Line to the Point at which Ferry Quay Street meets the Diamond; thence along Ferry Quay Street to the Point at which the same meets Pump Street; thence along Pump Street to the Point at which the same meets Widow's Row; thence, Southward, along Widow's Row to the Point at which the same meets Fountain Street; thence, Westward, along Fountain Street to the Point at which the same meets Wapping Lane; thence along Wapping Lane to the Point at which the same meets the River Foyle; thence, Southward, along the River Foyle to the Point at which the same meets the Boundary of the Borough; thence, Westward, along the Boundary of the Borough to the Point at which the same meets the Rope Walk; thence along the Rope Walk to the Point at which the same meets St. Columb's Well Road; thence, Northward, along St. Columb's Well Road to the Point at which the same meets the Cow Bog; thence along the Cow Bog to Butcher Gate; thence along Butcher Street to the Point at which the same meets the Diamond; thence in a straight Line to the Point first described.

LONDON-
DERRY—
continued.

10.—SLIGO.

GENERAL BOUNDARY.

FROM the Northern Angle of the New Stone Quay called Ballast Bank, Eastward, in a straight Line to the Centre of the Bridge on the Road leading from Old Bridge across the Townland of Cartron to the Townland of Ballincan; thence, Eastward, in a straight Line to the Centre of the Bridge on the Road leading from Old Bridge to the Townland of Carcash; thence, South-eastward, in a straight Line to the North-eastern Angle of the Sligo Fever Hospital; thence, Southward, in a straight Line to the Point where the Boundary between the Townlands of Abbey Quarter and Cleveragh meets the Southern Bank of the River Garvoge; thence in a straight Line to the South-eastern Angle of the County Gaol Enclosure Wall; thence, South-westward, in a straight Line to the North-eastern Angle of the House called Peterville on the Western Side of the Boyle Road; thence, North-westward, in a straight Line to the North-western Angle of the House called Rose Hill, now in the occupation of Thomas Read, Esq.; thence, Northward, in a straight Line to the Point at which the North-western Face of Ballast Bank Quay terminates, being about Eighty Yards South-westward of the Point first described; thence along the North-western Face of such Quay to the Point first described.

To be divided into Three Wards, according to the following Boundaries; and in every such Ward there shall be Two Aldermen and Six Councillors.

No. 1.—NORTHERN WARD.

SLIGO.

FROM the Point at which the River Garvoge cuts the Municipal Boundary, Westward, along the River to the Centre of Old Bridge; thence along Old Bridge or Bridgefoot Street, Wine Street, and the Road which forms the Boundary between the Townlands of Rathedmond and Knappaghbeg, to the Point at which such Road meets the Municipal Boundary; thence, North-eastward, along the Municipal Boundary to the Point first described.

No. 2.—EASTERN WARD.

FROM the Point at which the River Garvoge cuts the Municipal Boundary, Westward, along the River to the Centre of Old Bridge; thence along Old Bridge or Bridgefoot Street, Knox's Street, Radcliffe Street, Market Street, High Street, Pound Street and the Boyle Mail Coach Road, to the Point at which such Road meets the Municipal Boundary; thence, North-eastward, along the Municipal Boundary to the Point first described.

No. 3.—WESTERN WARD.

FROM the Point at which the Boyle Mail Coach Road cuts the Municipal Boundary, along such Road, Pound Street, High Street, Market Street, Radcliffe Street, Knox's Street, Wine Street and the Road which forms the Boundary between the Townlands of Rathedmond and Knappaghbeg to the Point at which such Road meets the Municipal Boundary; thence, Southward, along the Municipal Boundary to the Point first described.

11.—WATERFORD.

GENERAL BOUNDARY.

FROM the Point on the North-west Extremity of the Town where the Yurd Wall of the Brewery of Messieurs Davis, Strangman and Company joins the River Suir, in a straight Line to the Point where Summer Hill Gallows Road and Morgan's Street meet; thence along the Military Road, Morrisson's Road, Barrack Street, Manor Hill, College Street, Bath Street, across John's Pill at Wyse's Bridge, along Poleberry Street to near the South Corner of Mr. Deleander's House; thence in a straight Line to where the John's Town Road and Upper Newtown Road meet; thence along the Upper Newtown Road towards East Passage to the Centre of the Road in Front of the Orphan House; thence in a straight Line across the River, to the Roman Catholic Chapel in the Abbey Church Lands; thence in a straight Line to Mr. Charles Gatson's Cottage on the Side of Mount Misery; thence across the River to the Point first described.

To be divided into Five Wards, according to the following Boundaries; and in every such Ward there shall be Two Aldermen and Six Councillors.

No. 1.—TOWER WARD.

FROM the Point at which the River Suir meets Henrietta Street, along Henrietta Street, to the Point at which the same meets the open Space in Front of Christ Church; thence in a straight Line to Colebeck Street, along Colebeck Street; thence through Beresford Street to John's Street; thence through a Part of John's Street to John's Bridge; thence along the Centre of John's Pill to Wyse's Bridge; thence along the Municipal Boundary, Eastward, to the River Bank, and along the Course of the River to the Point first described.

No. 2.—CUSTOM HOUSE WARD.

FROM the Point at which the River Suir meets Henrietta Street, along the Boundary of Tower Ward, until it meets John's Street; thence, to the North, through Part of John's Street, Michael Street, Broad Street, and Barron Strand Street, to the River; and thence along its Course to the Point first described.

No. 3.—CENTRE WARD.

FROM the Quay opposite Baron Strand Street, along the Boundary of Custom House Ward, to where Patrick's Street crosses it; along Patrick's Street, Westwards, to Ballybricken; along the West Wall of the County Gaol, across Barker Street, along Henry Street and Hanover Street, to the River; and thence to the Point first described.

No. 4.—WEST WARD.

FROM the Quay, opposite Hanover Street, along the Boundary of Centre Ward, to where it meets Ballybricken; thence, Westwards, along Ballybricken and Morgan Street to the Point on the Municipal Boundary where Summer Hill, Gallows Road, and Morgan Street meet; thence along the Municipal Boundary across the River. This Ward to include also the whole Space comprehended within the Parliamentary Boundary on the North Side of the River Suir.

No. 5.—SOUTH WARD.

FROM the Point in the Municipal Boundary where Summer Hill, Gallows Road and Morgan Street meet, along the Boundary of West Ward, through Morgan Street, Ballybricken and Patrick's Street, to the Boundary of Custom House Ward; along that Boundary to the Point where it meets the Boundary of Tower Ward; along the Boundary of Tower Ward to Wyse's Bridge; and thence along the Municipal Boundary to the Point first described.

WATERFORD.

SCHEDULE (D.)

No. 1.

The List of BURGESSES of the Borough of [or in the Parish, or Precinct,
or Ward of in the Borough of .]

Christian Name and Surname of each Person at full Length.	Street, Lane, or other Place in this Borough [or Parish, Precinct, or Ward in this Borough] where the Property in respect whereof the Party is to be enrolled is situate.
Andrews, Peter - - - - -	No. 1, Green Street.
Brady, Thomas - - - - -	No. 3, White's Lane.

Dated the day of in the year .

(Signed) A. B.
Churchwarden of the said Parish [or Town Clerk of the
said Borough, or Alderman of the said Ward, &c.]

No. 2.

NOTICE OF CLAIM.

To the Town Clerk of the Borough of .

I HEREBY give you Notice, That I claim to have my Name enrolled in the Burgess Roll of the Borough of , and that I occupy [here describe the House, Warehouse, Counting-house, Office or Shop then occupied by the Claimant,] in the said Borough, which are rated as being of the net Annual Value of Pounds or upwards; and that I have occupied the said Premises [or the said Premises or other Premises, describing such other Premises, within the said Borough,] for the Space of last past.

Dated the day of in the year .

(Signed) HENRY STILES.

N.B.—After Three years the words “which are rated as being of the net Annual Value of Pounds or upwards,” may be omitted.

No. 3.

NOTICE OF OBJECTION.

To the Town Clerk of the Borough of .

I HEREBY give you Notice, That I object to the Name of Thomas Brady, of White's Lane, in this Borough [describe the Person objected to as described in the List of the Churchwardens, Town Clerk or Alderman of the Ward, &c.] being retained on the Burgess Roll of the Borough of , because [here state the ground of objection].

Dated the day of in the year .

(Signed) MICHAEL MEARES of [here state the Place of Abode and Property in respect of which he is said to be entitled to be enrolled in the List of the Churchwardens, Town Clerk or Alderman of the Ward, &c.]

No. 4.

LIST OF CLAIMANTS.

The following Persons claim to have their Names inserted on the Burgess Roll of the Borough of

Christian Name and Surname of each Claimant.	Present Occupancy.	Former Occupancy, as stated in the Claim.
Henry Stiles	House, No. 10, Capel Street	- - Shop, No. 17, Henry Street, during the last Month; and House, No. 6, Aston's Quay, during the Five preceding Months.

Dated the day of in the year .
(Signed) A. B., Town Clerk.

No. 5.

LIST OF PERSONS OBJECTED TO.

The following Persons have been objected to as not being entitled to have their Names retained on the Burgess Roll of the Borough of

Christian Name and Surname of each Person objected to.	Property in respect of which he is said to be entitled to be enrolled in the List of the Churchwardens, Town Clerk, or Alderman of the Ward, &c.
Thomas Brady	No. 3, White's Lane.

Dated the day of in the year .
(Signed) A. B., Town Clerk.

No. 6.

LIST of PERSONS subject to the Payment of [here insert Poor Rate, &c., as the case may require], within the Limits of the Borough of [here insert the Name of the Borough], and within the Collection of the undersigned Collector.

Name of Occupier.	Description of Property rated or assessed.	Name or Situation of the Property.	Amount of Poor Rate, Cess or Tax (as the case may be) charged thereon.	To what Time paid up.

(Signed) C. D. Collector.

SCHEDULE (E.)

No. 1.

FORM OF PROCESS OF ATTACHMENT OF GOODS IN COURT OF RECORD.

Borough of L. to wit. A. B. of, &c., in, &c. [Name, Residence and Addition of Plaintiff.] Plaintiff. C. D. of, &c., in, &c. [Name, Residence and Addition of Defendant.] Defendant.	}	ATTACH the Defendant by his goods and chattels, if found within the jurisdiction of this Court, so that he be before the Recorder of the said Borough at _____ on _____ day the _____ day of _____ next after the date hereof, to answer the Plaintiff's Suit in an Action for the sum of [here insert the amount of the demand], for [here insert the cause of Action]; and have you then there this Writ.
--	---	--

Dated this _____ day of _____ One thousand eight hundred _____ .
G. H., Registrar.

To _____

No. 2.

FORM OF SUMMONS IN COURT OF CONSCIENCE.

Borough of L. to wit. A. B. of, &c., in, &c. [Name, Residence and Addition of Plaintiff.] Plaintiff. C. D. of, &c., in, &c. [Name, Residence and Addition of Defendant.] Defendant.	}	By the President of the Court of Conscience for the said Borough: The Defendant is hereby required personally to appear before the said President at _____ on _____ day the _____ day of _____ next after the date hereof, to answer the Plaintiff's Suit for the sum of [here insert the amount of the debt], for [here insert the particulars of the demand.] On default thereof the said President will proceed as to justice shall appertain.
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Dated this _____ day of _____ One thousand eight hundred _____

Signed on behalf of the Plaintiff, }

SCHEDULE (F.)

Specifying the Taxes, Rates and Cesses, the Payment whereof (if the same, or any of them, are payable in any Borough) shall be necessary to entitle a person to be placed on the Burgess Roll.

The Borough Rate.

The Poor Rates.

The Grand Jury Cess.

Any Tax or Rate for Paving, Lighting, Cleansing or Watching; or for maintaining Police acting for the Borough.

The Wide-Street Tax.

SCHEDULE (G.)

Boroughs named in the said Schedule (B.), in which the Body Corporate appears from the Report of the Irish Corporation Commissioners, presented to his late Majesty King WILLIAM the Fourth, in the year One thousand eight hundred and thirty-five, to be seised or possessed of, or entitled to any Property consisting of any real Estate, or of any personal Estate exceeding in annual amount or value the sum of One hundred pounds.

Ardee,	Cashel,	Naas,	Tuam,
Athlone,	Cloghnakilty,	New Ross,	Wexford,
Athy,	Coleraine,	Strabane,	Wicklow
Carlow,	Kells,	Tralee,	Youghal.
Carrickfergus,	Kinsale,	Trim,	

SCHEDULE (H.)

Boroughs named in the said Schedule (B.), in which the Body Corporate does not appear from the said Report to be seised or possessed of, or entitled to, Property exceeding in annual amount or value the sum of One hundred pounds.

Armagh,	Dingle,	Enniskillen,	Maryborough,
Bandon,	Dundalk,	Fethard,	Monaghan,
Boyle,	Dungannon,	Gorey,	Navan,
Callan,	Ennis,	Longford,	Portarlington.
Charleville,	Enniscorthy,		

SCHEDULE (I.)

BOROUGH.	STYLE OF CORPORATE BODY.
ARDFERT - -	-- Portreeve, Burgesses and Freemen of the Borough of Ardfert, in the County of Kerry.
ATHENRY - -	-- Portreeve, Burgesses and Freemen of the Corporation of the Town and Liberties of Athenry.
BALTINGLASS -	-- Sovereign, Burgesses and Free Commons of the Borough of Baltinglass.
BANGOR - -	-- The Provost, Free Burgesses and Commonalty of the Borough of Bangor.
BELTURBET - -	-- The Provost, Free Burgesses and Commonalty of the Town of Bel- turbet, in the County of Cavan.
CARLINGFORD -	-- The Sovereign, Burgesses and Commonalty of the Borough of Car- lingford.
CASTLEMARTYR -	-- The Portreeve, Bailiffs and Burgesses of the Borough and Town of Castlemartyr.
CAVAN - -	-- The Sovereign, Portreeves, Burgesses and Freemen of the Town and Borough of Cavan.
CHARLEMONT -	-- The Portreeve, Free Burgesses and Commonalty of the Borough of Charlemont.

DULEEK

SCHEDULE (I.)—*continued.*

BOROUGH.	STYLE OF CORPORATE BODY.
DULEEK - -	Portreeve, Burgesses and Commons of the Town of Duleek.
HILLSBOROUGH - -	- - The Sovereign, Burgesses and Free Commons of the Borough and Town of Hillsborough.
MISTIUGE - -	- - Portreeve, Chief Burgesses and Freemen of the Town and Borough of Mistioge.
KILBEGGAN - -	- - Portreeve, Free Burgesses and Commonalty of the Borough of Kilbeggan.
KILDARE - -	- - The Sovereign, Portreeves, Burgesses and Freemen of the Borough of Kildare.
KILLILEAGH - -	- - The Provost, Free Burgesses and Commonalty of the Borough of Killileagh.
KILMALLOCK - -	The Sovereign and Burgesses of the Town of Kilmallock.
LIFFORD - -	- - The Warden, Free Burgesses and Commonalty of the Borough of Liffer.
NEWTOWNARDS - -	- - The Provost, Free Burgesses and Commonalty of the Borough of Newtowne.
MIDDLETON - -	- - The Sovereign, Bailiffs, Burgesses and Commonalty of the Borough of Middleton.
THOMASTOWN - -	The Sovereign, Provost and Burgesses of the Town of Thomastown.

Municipal Corporations (Ireland).

A

B I L L

[AS AMENDED BY THE COMMITTEE, AND ON
RE-COMMITMENT]

For the Regulation of Municipal Corporations
in Ireland.

*(Prepared and brought in by
Lord Viscount Morpeth, Lord John Russell,
and Mr. Solicitor-General for Ireland.)*

*Ordered, by The House of Commons, to be Printed,
3 March 1840.*

[*Price 1s. 6d.*]

Municipal Corporations (Ireland) Bill.

A M E N D M E N T S

Made by the Lords

TO THE

BILL for the Regulation of Municipal Corporations
in Ireland.

N. B.—The Marginal Notes refer to the Press and Line of the Ingrossment.

- 4, l. 13. After “ was ” insert “ admitted or was,” and in the same line after “ be ” insert “ admitted ”
- 7, l. 9. Leave out from “ That ” to “ And ” in press 8, line ultimo, and insert “ all persons now entitled to vote at the election of a Member or Members to serve in Parliament for any Borough named in either of the said Schedules (A.) and (B.) shall continue to enjoy such right as fully as if this Act had not been passed ; and that every person who, if this Act had not been passed, would have had a right to be admitted a Freeman or Burgess, or to be placed on the Roll of Freemen or Burgesses of any such Borough as aforesaid, in order to be registered and to vote in the election of a Member or Members to serve in Parliament, or might hereafter have been entitled to acquire, in respect of birth or marriage or servitude, or of any statute then in force as a Freeman or Burgess, the right of voting in the election of a Member or Members to serve in Parliament for such Borough, shall be entitled, if such Borough be one of the Boroughs named in the said Schedule (A.), or one of the Boroughs to which a charter of incorporation shall have been granted as hereinafter is mentioned, to be admitted a Freeman or Burgess, and placed on the ‘ Freemen’s Roll ’ of such Borough, and to acquire and enjoy such right of voting as fully as if this Act had not been passed ; and if such Borough be one of the Boroughs named in the said Schedule (B.), to which no such charter of incorporation as aforesaid shall have been granted, to acquire and enjoy, without having been admitted a Freeman or Burgess, such right of voting as fully as if this Act had not been passed, and he had been admitted

a Freeman or Burgess, provided he shall be enrolled on the 'Freemen's Roll' of such Borough, according to the provisions hereinafter contained."

- Pr. 9, l. 1. Leave out "either of" and in the same line after "in" insert "either of"
- l. 5. Leave out from "Act" to "the" in line 11.
- l. 20. Leave out "December" and insert "October"
- l. 25. After "Freemen" insert "or Burgesses"
- l. 30. After "Freeman" insert "or Burgess"
- l. 34. Leave out from "force" to "shall" in line 37.
- Pr. 10, l. 1. Leave out "Schedule" and insert "either of the Schedules" and in the same line after "(B.)" insert "and (I.)"
- l. 5. After "Borough" insert "named in either of the said Schedules (B.) and (I.)"
- l. 8. Leave out from "granted" to the second "such" in line 15.
- l. 21. After "claim" insert "in respect of birth, servitude or marriage, or of any statute now in force"
- l. 26. After "shall" insert "attend at the examination into every such claim, and shall then and there produce the Corporation books and other documents relating to the admission of Freemen, and shall at all reasonable times, when required, permit the inspection of such books and documents by the claimant, or by any person or persons acting on his behalf, and the Town Clerk shall," and in the same line leave out "such" and insert "the said Freemen's"
- Pr. 11, l. 5 & 6. Leave out from "enrollment" to "And" in press 12, line 5, and insert Clauses (A.) and (B.)
- Pr. 14, l. 14. After "contained" insert "but subject to such mortgages, charges, debts and incumbrances, rents, contracts, covenants and conditions as the same respectively now are subject or liable to"
- l. 24. After "That" insert "from and immediately after the passing of this Act the body or reputed body corporate named in the said Schedule (B.) to this Act annexed, in connexion with the Borough of Galway, shall be dissolved, and that"
- l. 27. After "Forty" insert "one," and in the same line after "every" insert "other"
- Pr. 15, l. 9. Leave out from "as" to "under" in line 11, and insert "would be qualified, so far as such qualification can be ascertained from the assessment of the Poor-rate made"
- l. 13. After "Ireland" insert "to have been enrolled on the Burgess Roll of such town, if the same had been named in the said Schedule (A.), and such Burgess Roll had been made according to the provisions hereinafter contained"

After

- Pr. 16, l. 3. After "Forty" insert "one"
1. 38. After "incorporated" insert "Provided always, That the Galway Town Commissioners acting in the execution of an Act of Parliament made and passed in the sixth and seventh years of the reign of his late Majesty King WILLIAM the Fourth, intituled, 'An Act for regulating and improving the Town of Galway in the County of the same Town,' shall, from and immediately after the passing of this Act, have all the estate and powers of Commissioners under this Act for that Town, until the grant of a Charter, and the election of a Council under its provisions."
- Pr. 17, l. 1. After "Forty" insert "one"
- Pr. 18, l. 30. After "Forty" insert "one"
- Pr. 20, l. 14. After "Forty" insert "one"
- Pr. 28, l. 1. After "and" insert "the Jurisdiction of the several Courts of Civil Jurisdiction of those Boroughs"
1. 7. After "usage" insert "and in the case of Londonderry shall also extend to the liberties thereof"
- Pr. 33, l. 21. Leave out from "say" to "every" in line 24.
1. 35. Leave out "office"
1. 36. After "shop" insert "which, either separately or jointly with any land within such Borough occupied therewith by him as Tenant, or occupied therewith by him as Owner, shall be of the yearly value of not less than Ten Pounds, to be ascertained and determined in manner following, and not otherwise; (that is to say) such value shall be a sum composed of the net annual value at which the premises so occupied by such man shall be rated (as they are hereby required to be) to the relief of the poor under the said Act for the more effectual relief of the destitute poor in Ireland, and of the amount of the sums at which the landlord's repairs and the landlord's insurance shall be estimated and stated in any rate to be made in pursuance of the said Act."
- Pr. 34, l. 6. After "Borough" insert "and rated as aforesaid"
1. 7. Leave out "Six" and insert "Twelve"
1. 14. After "municipal" insert "or other local," and in the same line after "cesses" insert "and all"
1. 19. Leave out "Six" and insert "Three"
1. 31. Leave out from "Unions" to "Provided" in press 37, line 20.
- Pr. 37, l. 37. After "published" insert "at least once in every week"
- & 38.
- Pr. 38, l. Leave out "office"
- penult.
- Pr. 40, l. 24. Leave out from "that" to "the" in line 27.
- Pr. 41, l. 3. Leave out "office"
1. 9. Leave out from "entitled" to "to" in line 13.
1. 17. Leave out "office"

- Pr. 42, l. 24. Leave out from "Act" to "And" in press 45, line 3.
- Pr. 47, l. 9. Leave out from "the" to the second "any" in line 13, and insert "Churchwardens of every Parish wholly or in part within"
- l. 17. Leave out "Union" and insert "Parish"
- l. 28. Leave out "Union" and insert "Parish"
- Pr. 57, l. 38. After "fit" insert Clause (C.)
- Pr. 63, l. 37. After "Twenty" insert "five"
- Pr. 64, l. 23. Leave out "Twelve" and insert "Fifteen"
- Pr. 65, l. penult. Leave out from "shall" to "select" in line ultimo.
- Pr. 66, l. 6. After "Mayor" insert "or Barrister when revising the said Lists of Burgesses"
- Pr. 71, l. 31. Leave out "office"
- Pr. 76, l. 32. After "to" insert "the revision of the Lists of Burgesses, or with respect to"
- Pr. 81, l. 4. After "any" insert "such"
- Pr. 82, l. 33 & 34. Leave out "Borough of" and insert "Boroughs of Galway and"; and in line 34, after "Carrickfergus" insert "respectively"
- l. ult. After "in" insert "either of" and in the same line leave out "Borough" and insert "Boroughs"
- Pr. 83, l. 6. Leave out "such" and insert "the" and in the same line leave out from "Borough" to "and" in line 8, and insert "in which they shall be such Justices"
- Pr. 87, l. 24. Leave out from "Mayor" to "the" in press 88, line 2.
- Pr. 88, l. 8. Leave out "or Chairman"
- l. 14. Leave out "or Commissioners"
- l. 16. Leave out from "Aldermen" to "to" in line 17.
- l. 19 & 20. Leave out "or Chairman"
- Pr. 89, l. 28. After "Twenty" insert "five"
- Pr. 108, l. 9. After "Court" insert Clause (D.)
- l. 12. After "in" insert "any of" and in the same line leave out from "the" to "to" in line 13, and insert "Schedules" and in line 13 leave out from "annexed" to "or" in line 14.
- Pr. 111, l. 3. In the interlineation leave out "Lord Lieutenant" and insert "Harbour Commissioners"
- l. 5. Leave out "Lord Lieutenant" and insert "Harbour Commissioners"
- Pr. 114, l. 7 & 8. After "Commissioners" insert "acting or"
- Pr. 122, l. 33. Leave out "March" and insert "October"
- Pr. 123, l. 17. Leave out "March" and insert "October"
- Pr. 125, l. 13. After "Enactment" insert "Provided also, That nothing herein contained shall extend or be construed to extend to the President and Assistants"

Assistants of the Charitable Society of Belfast, or to the Hospital and Free School of King CHARLES the Second, Dublin, commonly called the Blue Coat Hospital, or to any real or personal estate belonging thereto," and also insert Clauses (E.) and (F.)

Pr. 125, l. 25. Leave out from "to" to the second "with" in line 26, and insert "profitable trusts for shareholders or proprietors"

l. 36. After "Act" insert Clause (G.)

Pr. 129, l. 24 & 25. After "corporate" insert "Provided always, That nothing herein contained shall extend to transfer to the Galway Town Commissioners the powers vested in the Commissioners of the Harbour of that Town"

Pr. 133, l. 35. Leave out Clause "(A.)" added by way of Rider to the Bill.

Pr. 144, l. 22 & 23. After "applied" insert "towards the paving, cleansing and lighting the streets of the Borough by or"

l. 24. After "Council" insert "or in cases where the powers given to any Trustees appointed by any Act or Acts of Parliament for paving, cleansing and lighting the streets, or any of such purposes, shall not have been transferred to the Council by or under the direction of such Trustees, and"

Pr. 146, l. 8. After "payable" insert "Provided always, That nothing in this Act contained shall be construed to affect any tolls or dues not being part of the Town Fund paid before the passing of this Act to any member or officer of any body corporate in his corporate capacity, by permission of the true and real owner thereof"

Pr. 150, l. 4. After "thereto" insert "either at law or in equity"

Pr. 157, l. 5. Leave out "Fifth" and insert "Twentieth," and in the same line leave out "June" and insert "August"

l. 7. Leave out "Five" and insert "Six"

l. 12. Leave out "Fifth" and insert "Twentieth"

l. 13. Leave out "June" and insert "August"

l. 17. Leave out "Fifth" and insert "Twentieth"

l. 18. Leave out "June" and insert "August"

l. 23. Leave out "Fifth" and insert "Twentieth"

l. 24. Leave out "June" and insert "August"

Pr. 158, l. 16. Leave out "Fifth" and insert "Twentieth," and in the same line leave out "June" and insert "August"

l. 18. Leave out "Five" and insert "Six"

Pr. 162, l. 13. Leave out "Fifth" and insert "Twentieth," and in the same line leave out "June" and insert "August"

l. 22. Leave out "Fifth" and insert "Twentieth," and in the same line leave out "June" and insert "August"

l. 30. Leave out "Fifth" and insert "Twentieth"

l. 31. Leave out "June" and insert "August"

- Pr. 163, l. 36. Leave out "Fifth" and insert "Twentieth," and in the same line leave out "June" and insert "August"
- Pr. 166, l. 37. Leave out "Fifth" and insert "said Twentieth"
- l. 38. Leave out "June" and insert "August"
- Pr. 170, l. 2. Leave out from "situated" to "And" in line 13.
- Pr. 173, l. 22. Leave out from "by" to the second "the" in line 23.
- l. 32 & 33. After "accordingly" insert "and the purchase-money shall be paid to the Commissioners for the time being acting under the Act of Parliament made and passed in the sixth and seventh years of the reign of his late Majesty King WILLIAM the Fourth, intituled, "An Act for regulating and improving the Town of Galway in the County of the same Town," to be by them applied, in the first place, in or towards the payment of the compensations, pensions, stipends and allowances to become payable to officers of or other persons connected with the Borough of Galway in the cases hereinafter provided for; and in the next place, in or towards the payment of debts due from the body corporate of that Borough; and if any residue shall then remain of such purchase-money, it shall be applied by the said Commissioners in aid of the funds or rates vested in or which shall or may become payable to the said last-mentioned Commissioners"
- Pr. 174, l. 6. Leave out from "Galway" to "before" in line 8.
- l. 14. Leave out "and" and insert "a Sheriff shall be appointed by"
- l. 15. Leave out from "Lieutenant" to "And" in press 175, line 37, and insert "in the same manner to all intents and purposes as the Sheriff of any County at large in Ireland is now by law nominated and appointed"
- Pr. 176, l. 21. Leave out from "Act" to "And" in press 177, line 7.
- Pr. 182, l. 31. Leave out "Town" and insert "Towns," and in the same line after "of" insert "Galway and," and also in the same line after "Carrickfergus" insert "respectively"
- Pr. 189, l. 13. After "Town" insert "and also in and for the said Town of Galway"
- l. 29. After "aforesaid" insert "and acting in the performance of the duties of the said office"
- Pr. 191, l. penult. Leave out from "fit" to "and" in press 192, line 1.
- Pr. 196, l. 18. Leave out from "to" to "exercise" in line 20.
- l. 23. Leave out from "Borough" to "And" in press 197, line 7, and insert Clause (H.)
- Pr. 204, l. 8. Leave out from "Court" to "at" in line 12.
- l. 18. Leave out "all other causes" and insert "every case in which such Court had not, before the passing of this Act, authority to try in manner hereinafter provided for such actions as are hereinafter mentioned"

- 204, l. 19. Leave out from "have" to "authority" in line 23.
- 206, l. 27. After "any" insert "such"
- l. 28. Leave out "of any such Court or Justices"
- l. 29. After "heretofore" insert "legally," and in the same line leave out from "made" to "And" in line 31.
- l. 34. Leave out "Council" and insert "Recorder"
- l. 35. Leave out "other"
- 207, l. 32. After "Juries" insert "at Sessions"
- 220, l. 13. After "Act" insert Clause (I.)
- 252, l. 27. Leave out from "Treasury" to "And" in press 253, line 16, and insert Clause (K.)
- 253, l. 33. Leave out "Twenty" and in the same line leave out "October" and insert "September"
- l. 37. Leave out "Twenty"
- l. 38. Leave out "October" and insert "September"
- 254, l. 6. Leave out "Twenty"
- l. 7. Leave out "October" and insert "September"
- l. 20. Leave out "Twenty"
- l. 21. Leave out "October" and insert "September"
- l. 23. Leave out "Twenty"
- l. 24. Leave out "October" and insert "September"
- l. penult. After "ordered" insert Clauses (L.) and (M.)
- 255, l. 3. After "corporate" insert "named in one of the Schedules to this Act annexed"
- l. 10. After "and" insert "unless there be something in the subject or context repugnant to such construction"
- l. 11. After "to" insert "mean the Body Corporate of a Borough named in one of the Schedules to this Act annexed, and also to"
- l. 14. Leave out "such" and insert "the" and in the same line after "corporate" insert "of any such Borough"
- 257, l. 24. After "Affidavit" insert Clause (N.)

In Schedule (A.) to the Bill.

- 258, l. 18. In the fourth column leave out "90" and insert "45"
- l. 22, 23. Leave out—
- 24 & 25. "Galway - | 3 | 6 | 18 | - - the Mayor, Sheriffs, Free Burgesses
and Commonalty of the Town and County
of the Town of Galway"

In Schedule (B.) to the Bill.

- 260, ult. After "Fethard" insert—
- "Galway - - | - - the Mayor, Sheriffs, Free Burgesses and Com-
monalty of the Town and County of the Town of
Galway"

In Schedule (C.) to the Bill.

Pr. 302, l. 9. Leave out from "described" to "7.—Kilkenny" in press 304, line 29.

In Schedule (D.) to the Bill.

Pr. 325, l. 16, 17, 18 & 19. Leave out "N. B.—After Three years the words 'which are rated as being of the net annual value of Pounds or upwards,' may be omitted."

l. 29 & 30. Leave out "because [here state the ground of objection]"

Pr. 326, l. 14. In the third column after "Month" insert "previous to the Thirty-first of August"

l. 17. In the third column leave out "Five" and insert "Eleven"

Pr. 327, l. 12. After "Rate" insert "Grand Jury Cess, Borough Rate"

Leave out Schedule (F.) to the Bill.

CLAUSE (A.) And be it Enacted, That in case any person who shall have so claimed as aforesaid shall not be admitted and enrolled upon the said "Freemen's Roll" in pursuance of such claim, it shall be lawful for such person to appeal to the Court of Queen's Bench in Dublin; and the right of every person who shall have been admitted and enrolled upon the said Freemen's Roll may be questioned within the period now limited by law in Ireland for informations of Quo warranto by a similar appeal by any registered Parliamentary elector for the Borough in which such Freemen's Roll shall be made; and such Court shall have power, on motion, to adjudicate upon the right of such person to be so admitted and enrolled, and also upon such motion to award, at the discretion of the Court, costs not exceeding Ten Pounds, to be recoverable by Civil Bill: Provided always, That the right of any Freeman heretofore admitted shall not be questioned unless it could have been questioned by Quo warranto previously to the passing of this Act.

CLAUSE (B.) And be it Enacted, That the Town Clerk of the Borough, after service at his office of Seven Days' written notice to him of any such appeal, shall attend at the hearing of the case, and shall produce in open Court the said Freemen's Roll and all other corporation documents necessary for the investigation of the case; and such Town Clerk shall, upon the order of the said Court in open Court, enrol the name of the claimant upon such roll, or erase his name therefrom, as the decision in each case shall require.

CLAUSE (C.) And be it Enacted, That the right of every person who shall have been admitted and enrolled upon the Burgess Roll to be so admitted and enrolled may be questioned by any Burgess by appeal, in like manner and subject to the like provisions as to costs, and as to the attendance

attendance of the Town Clerk and alteration of the roll, as are hereinbefore contained with respect to the appeal against the admission of any person upon the Freeman's Roll.

And be it Enacted, That when and so often as there shall be any vacancy in the office of Coroner of the said Borough of Galway, it shall be lawful for the Freeholders of the Town and County of the Town of Galway, whose names shall be upon the Register of Voters for that Town and County for the time being, to elect some fit and proper person to be such Coroner, and at every such election the Sheriff or some person deputed by him for that purpose shall be the presiding officer. CLAUSE (D.)

AND whereas by Letters Patent of King CHARLES the Second, bearing date the Fifth day of December in the twenty-third year of his reign, the Lord Mayor, Sheriffs, Commons and Citizens of the City of Dublin, and their successors, are constituted a body politic and corporate by the name of "The Governors of the Hospital and Free-school of King CHARLES the Second, Dublin:" AND whereas the government, management and direction of the said Hospital and Free-school are now exercised by Sixty-one standing Governors (whereof Four are the Treasurer for the time being, and Three other Governors of the schools founded by Erasmus Smith, esquire, appointed by the Governors of the said last-mentioned schools, in pursuance of an Act of the Parliament of Ireland made in the tenth year of the reign of King GEORGE the First); BE it Enacted, That from and immediately after this Act shall come into operation in the said City of Dublin, the persons who at that time shall be the Governors of the said Hospital, and the survivors of them and their successors to be appointed in manner hereinafter mentioned, shall be and they are hereby constituted a body politic and corporate by the aforesaid name of "The Governors of the Hospital and Free-school of King CHARLES the Second, Dublin," in the place and stead of the said Lord Mayor, Sheriffs, Commons and Citizens of the said City of Dublin, who shall no longer be such body politic and corporate, in like manner to all intents and purposes as if the said Sixty-one persons and the survivors of them and their successors had been the persons appointed by virtue of the said Letters Patent instead of the said Lord Mayor, Sheriffs, Commons and Citizens; and all and singular the hereditaments, sums of money, chattels, securities for money, and other personal estate of the said body corporate constituted by the said Letters Patent, and all the estate, right, interest and title, and all the rights, powers, privileges and immunities of such body corporate, and all rights of action and suit vested in such body corporate, shall be and are hereby vested in the body corporate hereby constituted in the place and stead thereof; and the body corporate hereby constituted shall be subject to the same CLAUSE (E.)

liabilities, and governed according to the same regulations as the body corporate appointed by the said Letters Patent shall be subject to and governed by: Provided always, That the Treasurer for the time being and Three other Governors of the schools founded by the said Erasmus Smith, such as the Governors of the said schools shall from time to time choose and appoint, shall and they are hereby declared to be standing Governors of the said Hospital, in like manner as by the said Act of the tenth year of the reign of King GEORGE the First they were made Governors of the said Hospital: Provided also, That the Governors of the said Hospital hereby constituted shall never consist of less than Fifty; and that when and so often as any of the Governors hereby appointed or to be appointed as hereinafter is mentioned (other than the said Treasurer and Three other Governors of the said schools founded by the said Erasmus Smith) shall depart this life, then it shall be lawful for the Lord Archbishop of Armagh, the Lord Chancellor of Ireland, the Lord Archbishop of Dublin, and the Lord Bishop of Meath for the time being, or the major part of them, and they are hereby empowered, by writing under their hands and seals, to appoint one or more person or persons in the place or places and as a successor or successors of the deceased Governor or Governors, or any of them, so as to make up with the surviving Governors the number at the least of Fifty Governors, including the said Treasurer and Three other Governors of the said schools founded by the said Erasmus Smith; and every person so appointed a Governor shall be a Governor jointly with the surviving Governors for the time being, and shall have the same powers and authorities as if he had been appointed a Governor by this Act.

CLAUSE (F.) And be it Enacted, That from and immediately after this Act shall come into operation in the said City of Dublin, so much of the said Act of Parliament passed in the tenth year of the reign of King GEORGE the First, as provides that the Lord Mayor and Recorder of the City of Dublin then and for the time being, and Two of the Aldermen of the said city, such as the Governors of the schools founded by Erasmus Smith, esquire, should from time to time select and appoint, should for ever thereafter be standing Governors of the said schools, shall be and the same is hereby repealed; and that Four of the Governors for the time being of the said Hospital and Free-school of King CHARLES the Second, Dublin, such as the Governors of the said schools founded by Erasmus Smith shall from time to time select and appoint, shall for ever thereafter be standing Governors of the said schools founded by the said Erasmus Smith.

CLAUSE (G.) And be it Enacted, That in every case in which any body corporate named in any Schedule to this Act annexed, or any person or persons
elected

electd by any such body corporate, is or are Trustee or Trustees authorized to exercise any powers or provisions of any Acts of Parliament for any purpose producing profits which or part of which is or are to be divided between shareholders or proprietors for their own benefit, then the powers and provisions of all such Acts shall, from and after the time when this Act shall come into operation, until Parliament shall otherwise provide, be executed by such Trustees as the Lord Chancellor of Ireland shall by order, to be from time to time made upon petition in a summary way, appoint and select, regard being had in such appointment to the rights of the several parties interested; and thereupon all the estate, right, interest and title at law and in equity of the existing Trustees shall forthwith, without any conveyance or assignment thereof, pass to and become vested in the Trustees so appointed.

Provided always, and be it Enacted, That in every case in which any Court of Quarter Sessions of the Peace for a County shall be holden in any Borough named in either of the said Schedules (B.) and (I.) or within Seven Miles thereof at the time of the incorporation of such Borough, in pursuance of such petition as aforesaid, no grant of a separate Court of Quarter Sessions for such Borough shall be made, notwithstanding any petition for such grant, so long as such Court of Quarter Sessions for the County shall continue to be so holden as aforesaid. CLAUSE (H.)

And be it Enacted, That all the powers, authorities and jurisdictions of the Alderman elected in the present year to fill the said office of Lord Mayor of the City of Dublin, and who would but for the foregoing provisions be President of the said Court of Conscience in the year succeeding his year of office, shall continue in the same manner as if this Act had not been passed; and such Alderman shall for the year which shall next follow the expiration of One Year from the day of his entering upon the office of Lord Mayor, be President of such Court, with the benefit of the like assistance from an Alderman, Sheriff or Sheriff's-peer, and from the decisions or orders of such Court there shall be the same right of appeal as is lastly hereinbefore provided for. CLAUSE (I.)

And be it Enacted, That within Ten Days after the passing of this Act the Poor Law Commissioners shall certify under their hands and seals to the Lord Lieutenant the name of each of those Boroughs named in the said Schedule (A.) in which any rate for the relief of the destitute poor in Ireland shall have been then made, and as soon as any rate for the relief of the destitute poor in Ireland shall have been made in any other of the Boroughs named in the said Schedule (A.), CLAUSE (K.)

shall certify under their hands and seal to the Lord Lieutenant that such rate shall have then been made, and upon the Poor Law Commissioners so certifying as to any of the Boroughs named in said Schedule (A.), the Lord Lieutenant shall cause such Certificate to be published in the Dublin Gazette, with a declaration that upon the day happening next after the expiration of Twelve calendar Months from the day so to be stated in such Certificate, this Act shall be in force in such Borough or Boroughs respectively named in the Certificate; and upon such day this Act shall come into operation, commence and be in force in the Borough or Boroughs named in such Certificate.

CLAUSE (L.) And be it Enacted, That the accounts of the receipt and expenditure of every Corporation, or of such Commissioners as aforesaid, or of the Governors of the Hospital and Free-school of King CHARLES the Second, Dublin, shall, from and after the passing of this Act, be referred by the Secretary of State to the Commissioners appointed or to be appointed for auditing Public Accounts, under an Act passed in the twenty-fifth year of the reign of his Majesty King GEORGE the Third, intituled, "An Act for the better examining and auditing the Public Accounts of this Kingdom," also under an Act passed in the forty-sixth year of the reign of his said late Majesty King GEORGE the Third, intituled, "An Act for making more effectual Provision for the more speedy and regular Examination and Audit of the Public Accounts of this Kingdom," and also under an Act passed in the first and second years of the reign of his late Majesty King GEORGE the Fourth, intituled, "An Act to alter and abolish certain Forms of Proceedings in the Exchequer and Audit Office relative to Public Accountants, and for making further Provisions for the purpose of facilitating and expediting the passing of Public Accounts in Great Britain, and to render perpetual and amend an Act passed in the Fifty-fourth Year of his late Majesty for the effectual Examination of the Accounts of certain Colonial Revenues;" and all the powers and provisions now in force of the same Acts shall extend and be applicable to the examination, audit and discharge of the accounts of the said Boroughs by the said Commissioners, as far as their powers and provisions are applicable thereto.

CLAUSE (M.) And be it Enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury for the time being, or any Three or more of them, from time to time, by warrant under their hands, to direct such new arrangements in the office of the said Commissioners for auditing Public Accounts, and to assign to the Commissioners individually or collectively the exercise of such duties, and to make such orders

orders and regulations in respect to the conduct of the business of the office as the said Commissioners of Her Majesty's Treasury shall deem expedient and best calculated to ensure the most prompt and speedy examination and efficient audit of the accounts of the receipt and expenditure of the said Boroughs.

Provided always, and be it Enacted, That nothing in this Act CLAUSE (N.) contained shall extend to or comprise any property not derived from the Crown or from Parliament belonging to or in possession of any fraternity or guild within or connected with any of the said bodies corporate, but that it shall be lawful for the members of such fraternity or guild to dispose of and appropriate such property (but subject to any charitable trust, lawful debt or engagement, if any, previously affecting the same, or contracted or undertaken in respect thereof), towards such public object or charitable purpose as shall be agreed upon and determined by the members of such fraternity or guild, or a majority of such members present at any meeting or meetings to be held at any time after the passing of this Act, and to be especially convened for the purpose of determining as to the future disposition of such property.

Municipal Corporations (Ireland) Bill.

A M E N D M E N T S

Made by the Lords

TO THE

BILL for the Regulation of Municipal
Corporations in Ireland.

*Ordered, by The House of Commons, to be Printed,
1 August 1840.*
